

HOUSE BILL No. 4825

May 16, 1989, Introduced by Rep. Bennane and referred to the Committee on Public Health.

A bill to amend section 8 of Act No. 642 of the Public Acts of 1978, entitled as amended

"Revised probate code,"

as amended by Act No. 398 of the Public Acts of 1988, being section 700.8 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8 of Act No. 642 of the Public Acts of
2 1978, as amended by Act No. 398 of the Public Acts of 1988, being
3 section 700.8 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 8. (1) "Lease" includes an oil and gas lease or other
6 mineral lease.

7 (2) "Legally incapacitated person", as used in sections 3 to
8 12 and in article 4, means a person, other than a minor, who is
9 impaired by reason of mental illness, mental deficiency, physical

1 illness or disability, chronic use of drugs, chronic
2 intoxication, or other cause, to the extent that the person lacks
3 sufficient understanding or capacity to make or communicate
4 informed decisions concerning his or her person. Except as used
5 in sections 3 to 12 and in article 4, "legally incapacitated
6 person" means a person, other than a minor, who is a legally
7 incapacitated person as defined for purposes of article 4 or who
8 is a protected person.

9 (3) "Limited guardian" means a guardian who possesses fewer
10 than all of the legal rights and powers of a full guardian, and
11 whose rights, powers, and duties have been specifically enumer-
12 ated by court order.

13 (4) "Mental health professional" means a person who is
14 trained and experienced in the area of mental illness and who is
15 any of the following:

16 (a) A physician who is licensed to practice medicine or
17 osteopathic medicine in this state.

18 (b) A psychologist who has been granted a full, MASTER'S
19 DEGREE, or limited license to practice in this state.

20 (c) A social worker who is registered as a certified social
21 worker in this state.

22 (d) A registered nurse who is licensed to practice nursing
23 in this state and who is a graduate of a state-approved school of
24 nursing.

25 (5) "Minor" means a person who is less than 18 years of
26 age.

1 (6) "Net estate" in respect to a decedent's estate, means
2 the property of a decedent exclusive of homestead allowance,
3 exempt property, family allowance, enforceable claims, and admin-
4 istration expenses against the estate.

5 (7) "Nonresident decedent" means a decedent who was domi-
6 ciled outside of this state at the time of his or her death.

7 (8) "Notice" means notice prescribed by supreme court rule,
8 unless otherwise prescribed by law.

9 Section 2. This amendatory act shall not take effect unless
10 House Bill No. 4638 of the 85th Legislature is enacted into law.