

# HOUSE BILL No. 5777

May 16, 1990, Introduced by Rep. Niederstadt and referred to the Committee on Towns and Counties.

A bill to amend section 152 of Act No. 642 of the Public Acts of 1978, entitled as amended  
"Revised probate code,"  
being section 700.152 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 152 of Act No. 642 of the Public Acts of  
2 1978, being section 700.152 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 152. (1) A will of a nonresident decedent ~~which~~ THAT  
5 was admitted to probate at the domicile of the decedent in any  
6 other state or country may be admitted to probate in any county  
7 of this state in which the decedent left property upon the filing  
8 of an authenticated copy of the will and of the record admitting  
9 that will to probate.

1       (2) Upon proof being shown that the authenticated copy of  
2 the will and of the record admitting the will of a nonresident  
3 decedent is in existence in a foreign country but has not been  
4 secured from the foreign country within 6 months after request  
5 ~~is~~ WAS made ~~therefor~~ FOR THE COPY, a certified ~~photostat~~  
6 ~~copy~~ REPRODUCTION of the will PURSUANT TO THE RECORDS MEDIA ACT  
7 may be admitted to probate if secured through the office of the  
8 United States consul for the foreign country.

9       (3) A final order of a court of another state determining  
10 testacy made in a proceeding ~~shall be~~ IS uncontestable and  
11 shall be accepted as determinative by the probate court in this  
12 state if it includes, or is based upon, a finding that the dece-  
13 dent was domiciled at his OR HER death in the state where the  
14 final order was made.

15       (4) A will from the place of decedent's domicile, which does  
16 not provide for probate of a will after death, may be proved for  
17 admission to probate in this state by a duly authenticated cer-  
18 tificate of the legal custodian of the will that the copy intro-  
19 duced is a true copy and that the will became effective under the  
20 laws of decedent's domicile.

21       Section 2. This amendatory act shall not take effect unless  
22 Senate Bill No. \_\_\_\_\_ (request no. 03301'89) or House Bill  
23 No. 5013 of the 85th Legislature is enacted into law.