

HOUSE BILL NO. 5784

June 05, 2024, Introduced by Reps. Bierlein, Thompson, Bollin, Kunse, Outman, Aragona, Harris and DeBoyer and referred to the Committee on Economic Development and Small Business.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 5707.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 5707. (1) If a party to summary proceedings is a limited**
2 **liability company as described in subsection (2), the party may be**
3 **represented in the summary proceedings by a member if the member**
4 **has direct and personal knowledge of the facts alleged in the**
5 **complaint.**

1 (2) This section applies only if 1 of the following applies to
2 the limited liability company:

3 (a) The limited liability company has only 1 member and the
4 member is an individual.

5 (b) The limited liability company has only 2 members who are
6 individuals married to each other, if both members have signed a
7 verified statement authorizing the representation and the original
8 signed copy of the statement has been filed with the court in the
9 summary proceedings. This subdivision does not apply if there is an
10 action for divorce or separate maintenance pending between the
11 members, or if a judgment for separate maintenance has been entered
12 as to the members.

13 (3) If a party to summary proceedings is a limited liability
14 company described in subsection (2) (b), an individual may not
15 represent the party in a hearing in the summary proceedings unless,
16 before the hearing, a designated employee of the court reviews the
17 file and determines that the verified statement required by
18 subsection (2) (b) has been filed with the court.

19 (4) A party seeking to proceed under this section has the
20 burden of proving that it qualifies to do so.

21 (5) Representation under this section is not a violation of
22 section 916.