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BILL ANALYSIS

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Senate Bill 585 (as reported without amendment)
Senate Bill 586 (Substitute S-2 as reported)
Sponsor: Senator Jeff Irwin (S.B. 585)
Senator Ruth Johnson (S.B. 586)
Committee: Housing and Human Services

CONTENT

Senate Bill 585 would amend Part 4 (Protection of Property of an Individual Under Disability or of a Minor) of the Estates and Protected Individuals Code (EPIC) to require a court, when considering whether to allow a conservator to sell or mortgage a protected individual's property, to include in its consideration of the property's value an appraisal conducted within the previous six months.

Senate Bill 586 (S-2) would amend Part 3 (Guardians of Incapacitated Individuals) of EPIC to do the following:

-- Prohibit a court from granting a guardian the authority to change an incapacitated individual's residence unless the court found upon the guardian's petition that certain conditions were met, including whether the move was to the least restrictive environment suitable to that individual's unique needs, abilities, and resources, among other things.
-- Require a court to appoint a guardian ad litem upon the submission of a petition described above and hold a hearing within 28 days of the filing.
-- Allow a guardian to move a ward before filing a petition if prior court authorization were based on a hearing or in an emergency situation.
-- Require a court to appoint legal counsel for an individual that objected to a change in residence if that individual did not already have legal counsel.
-- Require a guardian to notify a court within 14 days of a temporary change in residence if the move were made before a petition was filed.

MCL 700.5423 (S.B. 585)
700.5306 & 700.5314 (S.B. 586)

BRIEF RATIONALE

In 2019, the Elder Abuse Task Force was created and tasked with providing policy recommendations for the prevention of elder abuse in Michigan. Among other recommendations, the Task Force recommended protections against professional guardians selling an elderly ward's home and moving that ward into a permanent residential care facility or group home when not in the ward's best interest.[1] According to testimony, many professional guardians do not evaluate the individual needs of their wards before selling their wards' homes and moving their wards into care facilities. The bills would establish protections in line with the Task Force's recommendation.

Legislative Analyst: Eleni Lionas

[1] Michigan Elder Abuse Task Force, Department of Attorney General, "*Elder Abuse Task Force: Initiatives*". Retrieved December 11, 2025.

FISCAL IMPACT

To the extent that the bill would require additional hearings and judicial review, it would increase costs for local courts to a nominal degree. Indirectly, the substitute could reduce costs for courts and State law enforcement agencies to the degree that the bill reduced fraudulent financial elder abuses. The degree to which this would reduce indirect costs for the State is indeterminate. According to a 2023 report by the American Association of Retired Persons (AARP) Public Policy Institute, nationwide estimates of financial losses to seniors as a result of elder financial exploitation range from $2.9 billion to $273.5 billion annually. [2]

Date Completed: 1-7-26 Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.