



# HOUSE BILL No. 5444

November 30, 1995, Introduced by Rep. Pitoniak and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 25 of Act No. 72 of the Public Acts of 1917, entitled as amended  
"Uniform partnership act,"  
being section 449.25 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 25 of Act No. 72 of the Public Acts of  
2 1917, being section 449.25 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 25. ~~(Nature of a partner's right in specific partner-~~  
5 ~~ship property).~~ (1) A partner is a co-owner with his OR HER  
6 partners of specific partnership property holding as a tenant in  
7 partnership, ~~—~~ TO WHICH ALL OF THE FOLLOWING APPLY:

8 ~~—(2) The incidents of this tenancy are such that:—~~

9 (a) ~~A partner, subject to the provisions of~~ SUBJECT TO

10 this act and to any agreement between the partners, A PARTNER has

1 an equal right with his OR HER partners to possess specific  
2 partnership property for partnership purposes, ~~—~~ but he OR SHE  
3 has no right to possess ~~—such—~~ THE property for ~~—any other—~~  
4 ANOTHER purpose without the consent of his OR HER partners. ~~—~~

5 (b) A partner's right in specific partnership property is  
6 not assignable, except ~~—in connection with—~~ FOR the assignment of  
7 the rights of all the partners in the same property. ~~—~~

8 (c) A partner's right in specific partnership property is  
9 not subject to attachment or execution, except on a claim against  
10 the partnership. When partnership property is attached for a  
11 partnership debt, the partners, or any of them, or the represen-  
12 tatives of a deceased partner, cannot claim ~~—any—~~ A right under  
13 the homestead or exemption laws. ~~—~~

14 (d) On the death of a partner, his OR HER right in specific  
15 partnership property vests in the surviving partner or partners,  
16 except where the deceased was the last surviving partner. ~~—when~~  
17 ~~his right in such property—~~ THE RIGHT OF THE LAST SURVIVING  
18 PARTNER vests in his OR HER legal representative. ~~—Such—~~ THE  
19 surviving partner or partners, or the legal representative of the  
20 last surviving partner, has no right to possess the partnership  
21 property for ~~—any but—~~ A PURPOSE OTHER THAN a partnership  
22 purpose. ~~—~~

23 (e) A partner's right in specific partnership property is  
24 not subject to dower ~~—, curtesy,~~ or allowances to ~~—widows—~~ A  
25 SURVIVING SPOUSE, heirs, or next of kin.

1       Section 2. This amendatory act shall not take effect unless  
2 Senate Bill No. \_\_\_\_\_ or House Bill No. 5441 (request  
3 no. 03904'95) of the 88th Legislature is enacted into law.