

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1540 Legal competence; presumption; effect of prior commitment.**

Sec. 540.

(1) A determination that an individual meets the criteria for treatment, a court order directing that an individual be admitted to a facility or receive alternative care and treatment, or any form of admission to a private facility does not give rise to a presumption of, constitute a finding of, or operate as an adjudication of legal incompetence.

(2) An order of commitment under any previous statute of this state does not, in the absence of a concomitant appointment of a guardian, constitute a finding of or operate as an adjudication of legal incompetence.

**History:** 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2018, Act 596, Eff. Mar. 28, 2019