

# HOUSE BILL No. 4794

May 6, 1991, Introduced by Reps. Gubow, DeBeaussaert, Olshove, Ciaramitaro, Law, Emerson, DeMars, London, Kosteva, Leland, Hunter, Gire, Palamara, Pitoniak, Bennett, Gilmer, Power, Middaugh, Harder, Muxlow, Dolan, Weeks, Sikkema, Jaye, Bankes, O'Connor, Willis Bullard, Munsell, Berman, Webb and Perry Bullard and referred to the Committee on Judiciary.

A bill to amend section 60 of chapter X of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

as amended by Act No. 341 of the Public Acts of 1982, being section 710.60 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 60 of chapter X of Act No. 288 of the  
2 Public Acts of 1939, as amended by Act No. 341 of the Public Acts  
3 of 1982, being section 710.60 of the Michigan Compiled Laws, is  
4 amended to read as follows:

## 5 CHAPTER X

6 Sec. 60. (1) After the entry of the order of adoption, the  
7 adoptee shall, in case of a change of name, be known and called  
8 by the new name. The person or persons adopting the adoptee  
9 ~~shall~~ thereafter stand in the place of a parent or parents to  
10 the adoptee in law in all respects as though the adopted person  
11 had been born to the adopting parents and ~~shall thereafter be~~  
12 IS liable for all the duties and entitled to all the rights of  
13 parents.

14 (2) After entry of the order of adoption, there ~~shall not~~  
15 ~~be any~~ IS NO distinction between the rights and duties of natu-  
16 ral progeny and adopted persons, and the adopted person ~~shall~~  
17 ~~become~~ BECOMES an heir at law of the adopting parent or parents,  
18 and an heir at law of the lineal and collateral kindred of the  
19 adopting parent or parents. After entry of the order of adop-  
20 tion, an adopted child ~~shall~~ IS no longer ~~be~~ an heir at law  
21 of a parent whose rights have been terminated under this chapter  
22 or chapter XIIIA or the lineal or collateral kindred of that  
23 parent, nor ~~shall~~ IS an adopted adult ~~be~~ an heir at law of a  
24 person who was his or her parent at the time the order of adop-  
25 tion was entered or the lineal or collateral kindred of that  
26 person, except that a right, title, or interest vesting before

1 entry of the final order of adoption ~~shall~~ IS not ~~be~~ divested  
2 by that order.

3 (3) This section ~~shall~~ DOES not prohibit the entry of an  
4 order for grandparent visitation under section 7b of the child  
5 custody act of 1970, Act No. 91 of the Public Acts of 1970, being  
6 section 722.27b of the Michigan Compiled Laws. ~~During the pen-~~  
7 ~~dency of a stepparent adoption proceeding, a parent of a natural~~  
8 ~~parent may seek an order for visitation of the adoptee in the~~  
9 ~~same manner as set forth in section 7b of Act No. 91 of the~~  
10 ~~Public Acts of 1970, and the judge of probate shall proceed in~~  
11 ~~the same manner as is provided for the circuit court judge in~~  
12 ~~section 7b of Act No. 91 of the Public Acts of 1970.~~

13 Section 2. This amendatory act shall not take effect unless  
14 Senate Bill No. \_\_\_\_\_ or House Bill No. 4793 (request  
15 no. 00879'91<sup>\*</sup>) of the 86th Legislature is enacted into law.