

HOUSE BILL No. 4811

May 13, 1991, Introduced by Reps. Munsell, Perry Bullard, Byrum, Dolan, Gire, Dalman, Oxender, Gilmer, Webb, Willis Bullard, Sikkema, Bender, Hertel, McBryde, Leland, Olshove, Weeks, Joe Young, Sr., Yokich, Dobronski, Wallace, DeMars, Profit, Berman, Kilpatrick, Emerson, Hollister, Jondahl and Dobb and referred to the Committee on Judiciary.

A bill to amend Act No. 91 of the Public Acts of 1970, entitled as amended

"Child custody act of 1970,"

as amended, being sections 722.21 to 722.29 of the Michigan Compiled Laws, by adding section 7c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 91 of the Public Acts of 1970, as
2 amended, being sections 722.21 to 722.29 of the Michigan Compiled
3 Laws, is amended by adding section 7c to read as follows:

4 SEC. 7C. (1) IF THE ALLEGED ABUSE OF A MINOR CHILD COMES TO
5 THE COURT'S ATTENTION IN AN ACTION UNDER THIS ACT, AND THE COURT
6 DETERMINES AFTER A HEARING THAT THERE IS PROBABLE CAUSE TO
7 BELIEVE THE ALLEGATIONS AND THE COURT ENTERS AN ORDER OF THAT
8 DETERMINATION, THE PROSECUTING ATTORNEY SHALL PETITION THE
9 PROBATE COURT FOR A PROCEEDING BASED ON THAT ORDER AND CONSISTENT

1 WITH SUPREME COURT RULE UNDER CHAPTER XIIA OF ACT NO. 288 OF THE
2 PUBLIC ACTS OF 1939, BEING SECTIONS 712A.1 TO 712A.28 OF THE
3 MICHIGAN COMPILED LAWS.

4 (2) AS USED IN THIS SECTION, "ABUSE" MEANS ANY OF THE
5 FOLLOWING:

6 (A) HARM OR THREATENED HARM BY A PERSON TO A CHILD'S HEALTH
7 OR WELFARE THAT OCCURS THROUGH NONACCIDENTAL PHYSICAL OR MENTAL
8 INJURY.

9 (B) ENGAGING IN SEXUAL CONTACT OR PENETRATION WITH A CHILD
10 AS DEFINED IN SECTION 520A OF THE MICHIGAN PENAL CODE, ACT
11 NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION 750.520A OF THE
12 MICHIGAN COMPILED LAWS.

13 (C) SEXUAL EXPLOITATION OF A CHILD, WHICH INCLUDES ALLOWING,
14 PERMITTING, OR ENCOURAGING A CHILD TO ENGAGE IN PROSTITUTION, OR
15 ALLOWING, PERMITTING, ENCOURAGING, OR ENGAGING IN THE PHOTOGRAPH-
16 ING, FILMING, OR DEPICTION OF A CHILD ENGAGED IN A LISTED SEXUAL
17 ACT AS DEFINED IN SECTION 145C OF ACT NO. 328 OF THE PUBLIC ACTS
18 OF 1931, BEING SECTIONS 750.145C OF THE MICHIGAN COMPILED LAWS.

19 (D) MALTREATMENT OF A CHILD.

20 Section 2. This amendatory act shall not take effect unless
21 Senate Bill No. ____ or House Bill No. 4810 (request
22 no. 01384'91 *) of the 86th Legislature is enacted into law.