



HOUSE BILL No. 4064

February 2, 1993, Introduced by Rep. Gubow and referred to the Committee on Human Services and Children.

A bill to amend section 3 of Act No. 91 of the Public Acts of 1970, entitled as amended "Child custody act of 1970," as amended by Act No. 434 of the Public Acts of 1980, being section 722.23 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 91 of the Public Acts of
2 1970, as amended by Act No. 434 of the Public Acts of 1980, being
3 section 722.23 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. "Best interests of the child" means the sum total
6 of the following factors to be considered, evaluated, and deter-
7 mined by the court:

1 (a) The love, affection, and other emotional ties existing
2 between the parties involved and the child.

3 (b) The capacity and disposition of the parties involved to
4 give the child love, affection, and guidance and continuation of
5 the educating and raising of the child in ~~its~~ HIS OR HER reli-
6 gion or creed, if any.

7 (c) The capacity and disposition of the parties involved to
8 provide the child with food, clothing, medical care or other
9 remedial care recognized and permitted under the laws of this
10 state in place of medical care, and other material needs.

11 (d) The length of time the child has lived in a stable, sat-
12 isfactory environment, and the desirability of maintaining
13 continuity.

14 (e) The permanence, as a family unit, of the existing or
15 proposed custodial home or homes.

16 (f) The moral fitness of the parties involved.

17 (g) The mental and physical health of the parties involved.

18 (h) The home, school, and community record of the child.

19 (i) The reasonable preference of the child, if the court
20 ~~deems~~ CONSIDERS the child to be of sufficient age to express
21 preference.

22 (j) The willingness and ability of each of the parents to
23 facilitate and encourage a close and continuing parent-child
24 relationship between the child and the other parent.

25 (K) DOMESTIC VIOLENCE, REGARDLESS OF WHETHER THE VIOLENCE
26 WAS DIRECTED AGAINST OR WITNESSED BY THE CHILD.

1 (l) ~~(k)~~ Any other factor considered by the court to be
2 relevant to a particular child custody dispute.