



HOUSE BILL No. 4636

April 22, 1993, Introduced by Rep. Shugars and referred to the Committee on Human Services and Children.

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 10.

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 10 to read as follows:

4 SEC. 10. UPON PETITION OF A NONCUSTODIAL PARENT, THE COURT
5 SHALL ORDER A CHILD WHO IS REGULARLY CARED FOR BY SOMEONE OTHER
6 THAN THE CUSTODIAL PARENT PLACED IN THE PERSONAL CARE OF THE NON-
7 CUSTODIAL PARENT DURING THAT TIME IF ALL OF THE FOLLOWING ARE
8 TRUE:

1 (A) THE NONCUSTODIAL PARENT HAS COMPLIED WITH THE TERMS OF
2 AND HAS EXERCISED HIS OR HER RIGHT TO VISITATION AS PROVIDED IN
3 THIS ACT AND BY THE COURT.

4 (B) THE NONCUSTODIAL PARENT IS AVAILABLE TO CARE FOR THE
5 CHILD DURING A MAJOR PORTION OF THE TIME DURING WHICH THE CHILD
6 IS CARED FOR BY SOMEONE OTHER THAN THE CUSTODIAL PARENT.

7 (C) THE COURT FINDS THAT THE ORDER WOULD NOT BE AGAINST THE
8 BEST INTERESTS OF THE CHILD.