



HOUSE BILL No. 5793

April 23, 1996, Introduced by Reps. Fitzgerald, Bankes, Hill, Ryan, Bullard, Pitoniak, Bush and Perricone and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 1 of Act No. 422 of the Public Acts of 1984, entitled as amended

"An act to create a state foster care review board program in the state court administrative office; to create local foster care review boards; to prescribe the powers and duties of certain public officers and certain public and private agencies; and to provide penalties,"

as amended by Act No. 74 of the Public Acts of 1989, being section 722.131 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 422 of the Public Acts of
2 1984, as amended by Act No. 74 of the Public Acts of 1989, being
3 section 722.131 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 1. As used in this act:

6 (a) "Child care organization" means a child caring
7 institution or a child placing agency as defined in section 1 of

1 Act No. 116 of the Public Acts of 1973, being section 722.111 of
2 the Michigan Compiled Laws.

3 (b) "Foster care" means care provided to a child on a
4 24-hour basis either by a child care organization or by a person
5 or organization appointed by the juvenile division of the probate
6 court, either temporarily or permanently, to provide court super-
7 vised child care, pursuant to any of the following:

8 (i) An order of the juvenile division of the probate court
9 if the court acquired jurisdiction over the child ~~pursuant to~~
10 UNDER section ~~2(b)(1) or (2)~~ 2(B) of chapter XIIIA of Act
11 No. 288 of the Public Acts of 1939, being section 712A.2 of the
12 Michigan Compiled Laws.

13 (ii) A voluntary action of a parent or guardian that results
14 in an expenditure of funds appropriated to the ~~department of~~
15 ~~social services~~ FAMILY INDEPENDENCE AGENCY.

16 (iii) A voluntary release executed ~~pursuant to~~ UNDER sec-
17 tion 28 of chapter X of Act No. 288 of the Public Acts of 1939,
18 being section 710.28 of the Michigan Compiled Laws.

19 (d) "Foster care event" means any of the following:

20 (i) The child's return to the parent from whom the child was
21 removed.

22 (ii) The child's placement with a parent other than the
23 parent from whom the child was removed.

24 (iii) The child's placement with a relative.

25 (iv) The voluntary release of parental rights to the child.

26 (v) The filing on behalf of the child of a petition to
27 terminate parental rights to the child.

1 (e) "Interested party" means any of the following:

2 (i) A biological parent whose parental rights have not been
3 terminated.

4 (ii) A foster parent.

5 (iii) An employee or representative of the child care organ-
6 ization providing the foster care to the child.

7 (iv) A person with whom a local board consults during a
8 review of a child in foster care.

9 (v) Any person designated by the state court administrator.

10 (f) "Local board" means a local foster care review board
11 created under section 4.

12 (g) "State board program" means the state foster care review
13 board program created in section 2.

14 Section 2. This amendatory act shall not take effect unless
15 Senate Bill No. _____ or House Bill No. 5792 (request
16 no. 05922'95) of the 88th Legislature is enacted into law.