

Senate Fiscal Agency
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**BILL ANALYSIS**

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House Bill 5145 (Substitute H-1 as reported without amendment)
Sponsor: Representative Joanne Voorhees
House Committee: Family and Children Services
Senate Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the juvenile code to revise permanency planning hearing provisions for foster children; modify some parental rights termination provisions; and include the Michigan Children's Institute (MCI) in several foster care provisions.

The bill would require the court to conduct a permanency planning hearing within 28 days after a petition was adjudicated and the parent was found to have abused the child or a sibling of the child and the abuse included abandonment of a young child; criminal sexual conduct (CSC) involving penetration, attempted penetration, or assault with intent to penetrate; battering, torture, or other severe physical abuse; loss or serious impairment of an organ or limb; life-threatening injury; murder or attempted murder; voluntary manslaughter; or aiding, abetting, attempting, conspiring, or soliciting the commission of murder or voluntary manslaughter.

The bill provides that, if a child remained in foster care and parental rights to the child had not been terminated, the court would have to conduct a permanency planning hearing within one year after an initial hearing and within one year after each subsequent hearing.

The code specifies the conditions under which a court may terminate a parent's parental rights to a child, if it reaches certain findings by clear and convincing evidence. One of those conditions is that the parent abused the child or a sibling of the child and the abuse included one or more of the following: abandonment of a young child; CSC involving penetration, attempted penetration, or assault with intent to penetrate; battering, torture, or other physical abuse; loss or serious impairment of an organ or limb; life-threatening injury; or murder or attempted murder. The bill would add to that list voluntary manslaughter and aiding and abetting, attempting to commit, conspiring to commit, or soliciting murder or voluntary manslaughter.

MCL 712A.1 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on family courts resulting from the shortened time frames for permanency planning hearings in certain cases. The bill also would have an indeterminate fiscal impact on Family Independence Agency administrative costs from implementing the increased frequency in permanency planning hearings.

Date Completed: 3-3-00

Fiscal Analyst: B. Bowerman
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Analysis available @ <http://www.michiganlegislature.org>

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