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Senate Bill 702 (as reported by the Committee of the Whole)
Sponsor: Senator Bev Hammerstrom
Committee: Families and Human Services

CONTENT

The bill would amend the Michigan Adoption Code to eliminate a requirement that an adoptive parent be a Michigan resident.

Under the Code, a parent or guardian with legal and physical custody of a child, or a child placing agency, may make a temporary placement of the child. In addition to meeting other requirements, the prospective adoptive parent with whom the child is temporarily placed must be a Michigan resident. The bill would delete the residency requirement.

The bill would require that the prospective adoptive parent have had a preplacement assessment completed within one year before the date of the transfer with a finding that the prospective adoptive parent was suitable to be a parent of an adoptee.

Under the Code, a prospective adoptive parent must sign a document setting forth the date of the transfer and his or her name and address, and stating that the prospective adoptive parent agrees to reside with the child in Michigan until a formal placement occurs and the court approves a change of residence. Under the bill, that statement would have to be made by a prospective adoptive parent who was a Michigan resident. The document (signed by all prospective adoptive parents) also would have to state that the prospective adoptive parent agreed to obtain approval in compliance with the Interstate Compact on the Placement of Children before the child was sent, brought, or caused to be sent or brought into a receiving state; and state that the prospective adoptive parent submitted to this State's jurisdiction.

The Code requires the adoption attorney or child placing agency assisting with the temporary placement or the child placing agency that makes the temporary placement to submit a report to the court in the county in which the prospective adoptive parent resides, within two days after a transfer of physical custody. Under the bill, the report would have to be submitted to the court in the county where the prospective adoptive parent resided, the county in which the child's parent or guardian resided, or the county in which the child was found.

MCL 710.23d

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-9-03

Fiscal Analyst: Mike Hansen