

# SENATE BILL No. 1300

June 17, 2004, Introduced by Senators PATTERSON, CROPSEY, BARCIA and  
 HARDIMAN and referred to the Committee on Families and Human Services.

A bill to amend 1988 PA 199, entitled  
 "Surrogate parenting act,"  
 by amending section 11 (MCL 722.861).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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1       Sec. 11. If a child is born to a surrogate mother or  
 2 surrogate carrier ~~pursuant to~~ **as provided in** a surrogate  
 3 parentage contract, and there is a dispute between the parties  
 4 concerning custody of **or parenting time with** the child, the party  
 5 having physical custody of the child may retain physical custody  
 6 of the child until the circuit court orders otherwise. The  
 7 circuit court shall award legal custody of **or parenting time with**  
 8 the child based on a determination of the best interests of the  
 9 child. As used in this section, "best interests of the child"  
 10 means that term as defined in section 3 of the child ~~custody act~~  
 11 ~~of 1970, Act No. 91 of the Public Acts of 1970, being section~~

1 ~~722.23 of the Michigan Compiled Laws~~ **parenting time act, 1970 PA**  
2 **91, MCL 722.23.**

3       Enacting section 1. This amendatory act takes effect  
4 January 1, 2005.

5       Enacting section 2. This amendatory act does not take  
6 effect unless House Bill No. 5949 of the 92nd Legislature is  
7 enacted into law.