

Legislative Analysis



MILITARY PARENTAL CUSTODY RIGHTS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5100

Sponsor: Rep. Rick Jones

Committee: Family and Children Services

Complete to 9-22-05

A SUMMARY OF HOUSE BILL 5100 AS INTRODUCED 8-24-05

The bill would amend the Child Custody Act of 1970 to address cases when a parent was a Reserve unit member or National Guard unit member separated from a child because he or she had been called into active military duty.

The bill would specify that:

** If a parent was called to military service, a court could not make a "best interest" child custody determination based on the parent's separation from the child.

** Military service by a custodial parent would not be proper cause shown or a change of circumstances sufficient to justify a modification or amendment of a previous custody judgment or order.

** If a parent is called to military service, a permanent custodial environment could not be established during that period of service.

MCL 722.22 et al.

FISCAL IMPACT:

The bill would have no fiscal impact.

Legislative Analyst: E. Best
Fiscal Analyst: Marilyn Peterson

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.