



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5100 (Substitute S-2 as reported)  
Sponsor: Representative Rick Jones  
House Committee: Family and Children Services  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Child Custody Act to specify that, if a motion for change of a child's custody were filed during the time a parent was in "active military duty", the court could not enter an order modifying or amending a previous judgment or order, or issue a new order, that changed the child's placement that existed on the date the parent was called to active military duty, although the court could enter a temporary custody order if there were clear and convincing evidence that it was in the best interest of the child. Upon a parent's return from active military duty, the court could not consider a parent's absence due to that military duty in a best interest of the child determination.

The bill is tie-barred to Senate Bill 714, which would amend the Act to specify that "active military duty" would mean when a reserve unit member or National Guard unit member is called into active military duty.

MCL 722.22 & 722.27

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

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

Date Completed: 11-2-05

Fiscal Analyst: Stephanie Yu