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BILL ANALYSIS

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House Bill 5602 (Substitute H-1 as passed by the House)
Sponsor: Representative Tonya Schuitmaker
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 5-26-06

CONTENT

The bill would amend the Michigan Adoption Code to make an exception to a provision under which an adoptee is no longer the heir of a parent whose parental rights have been terminated; the exception would apply to a child adopted by the spouse of a natural parent, as provided in Section 2114(2) of the Estates and Protected Individuals Code (EPIC).

Under Section 60(2) of the Adoption Code, after entry of an order of adoption, an adopted child is no longer an heir at law of a parent whose parental rights have been terminated or the lineal or collateral kindred of that parent. That section also specifies that an adopted adult is not an heir at law of a person who was his or her parent at the time the adoption order was entered or the lineal or collateral kindred of that person.

Under the bill, Section 60(2) would apply except as provided in Section 2114(2) of EPIC. Under Section 2114(2), adoption of a child by the spouse of either natural parent has no effect on the right of the child or his or her descendants to inherit from or through the other natural parent.

MCL 710.60

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Stephanie Yu

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