



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 1000 (as enrolled)  
Sponsor: Senator John Moolenaar  
Senate Committee: Judiciary  
House Committee: Judiciary

Date Completed: 1-7-13

### **CONTENT**

The bill would amend the Child Custody Act to require a parenting time order to contain a prohibition against exercising parenting time in a country that is not a party to the Hague Convention on the Civil Aspects of International Child Abduction. The prohibition would not apply, however, if both parents gave the court written consent to allow a parent to exercise parenting time in such a country.

MCL 722.27a

### **BACKGROUND**

According to the website of the Hague Conference on Private International Law, "The *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* is a multilateral treaty, which seeks to protect children from the harmful effects of abduction and retention across international boundaries by providing a procedure to bring about their prompt return." The Convention "seeks to combat parental child abduction by providing a system of co-operation between Central Authorities and a rapid procedure for the return of the child to the country of the child's habitual residence".

The Convention states that its objects are to secure the prompt return of children wrongfully removed to or retained in any contracting state and to ensure that rights of custody and of access under the law of one contracting state are effectively respected in the other contracting states. Each contracting state must designate a Central Authority to discharge the duties imposed by

the Convention. Central Authorities must cooperate with each other and promote cooperation among the authorities in their respective states to secure the prompt return of children and achieve other objects of the Convention.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

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

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.