



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 482 (Substitute S-2 as reported by the Committee of the Whole)
Senate Bill 483 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Rick Jones
Committee: Families, Seniors and Human Services

CONTENT

Senate Bill 483 (S-1) would amend the juvenile code to do the following:

- Require a reasonable effort to be made to place siblings removed from their home in the same placement, or provide for at least monthly sibling visitation, unless the State documented that either of these would be contrary to the safety or well-being of any of the siblings.
- Require a court to determine if sibling visitation or contact would be beneficial to siblings, if they could not be placed together.
- Require a case service plan to include efforts to be made by an agency to provide frequent in-person visitation, if siblings were not jointly placed, unless a court determined that the visitation or contact would not be beneficial.

Also, the bill would refer to a person's spouse, rather than a person's wife or husband, in a provision pertaining to filing an adoption petition. The bill would refer to a woman's spouse, rather than her husband, in a provision dealing with a mother's joining her husband in a petition for adoption of a child that is claimed to be born out of wedlock.

Senate Bill 482 (S-2) would amend the Foster Care and Adoption Services Act to do the following:

- Require a supervising agency to make a reasonable effort to place siblings removed from their home in the same placement, or provide for at least monthly visitation or other ongoing contact between the siblings, unless the supervising agency documented that either of these would be contrary to the safety or well-being of any of the siblings.
- Require a supervising agency to make a reasonable effort to facilitate at least monthly visitation or other ongoing contact with siblings who were not jointly placed, unless a court determined that at least monthly visitation or other ongoing contact would not be beneficial.

If the supervising agency discontinued visitation or other ongoing contact because it determined that visitation or contact was contrary to a sibling's safety or well-being, the supervising agency would have to report its determination to the court for consideration at the next review hearing.

Senate Bill 482 (S-2) is tie-barred to Senate Bill 483. Both bills would take effect 90 days after their enactment.

MCL 722.952 & 722.954a (S.B. 482)
712A.13a & 712A.18f (S.B. 483)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills could result in a fiscal impact on locally operated child placing agencies and would have no fiscal impact on the State. Currently, Department of Health and Human Services policy and provisions of the Federal court agreement related to *Duane B. v. Snyder* require the Department to place sibling groups together when feasible and appropriate and to assure visitations, when appropriate, between siblings when not placed together.

Depending on the current policies of locally operated agencies regarding sibling placements, there could be a local fiscal impact. There are several child placing agencies that are operated by community mental health agencies and some agencies operated by circuit courts or counties. These locally operated agencies are not subject to the settlement requirements. To the extent that the requirements under the bills would be new, the agencies could realize some additional costs.

Date Completed: 12-7-15

Fiscal Analyst: John Maxwell

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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.