



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

BILL



ANALYSIS

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

Senate Bill 629 (as introduced 12-2-15)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 12-22-15

CONTENT

The bill would amend the juvenile code to allow a court to terminate a person's parental rights to a child if that child had been conceived as a result of the person's criminal sexual conduct.

Under the code, the court may terminate a person's parental rights to a child if it makes certain findings by clear and convincing evidence. The bill would include in those findings that the parent had been convicted of, or found in a fact-finding hearing to have committed, criminal sexual conduct and that conduct resulted in the child being conceived.

MCL 712A.19b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill could have an indeterminate fiscal impact on the State and local governments. The provisions of the bill could lead to an increase in hearings to terminate parental rights. An increase in hearings could increase incremental resource demands on circuit court systems.

In 2015, the Federal government enacted the Rape Survivor Child Custody Act which, among other things, provides for increased formula grants for states that have in place a law that allows the mother of a child who was conceived through rape to seek court-ordered termination of the parental rights of her rapist with regard to that child, and that authorizes the court to grant termination upon clear and convincing evidence of rape. The maximum allowed grant increase is 10% of the average of the total amount of funding provided to a state in the past three years under the STOP Violence Against Women Formula Grant Program and the Sexual Assault Services Program. The increased funding is for a two-year period and can be reauthorized up to four times. For Michigan, the maximum increase would be approximately \$400,000 per year.

Fiscal Analyst: Ryan Bergan

S1516\sb629sa

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.