



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5626 (as passed by the House)  
Sponsor: Representative Thomas B. Hooker  
House Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Adoption Code to do the following:

- Allow a prospective adoptive parent to advertise for or recruit, as well as solicit, biological parents or guardians of potential adoptees for the purposes of adoption.
- Allow a prospective adoptive parent or guardian, or a court, department, or child-placing agency, to advertise for or recruit, as well as solicit, potential adoptive parents for purposes of adoption.
- Refer in these provisions to "court-supervised adoption".
- Provide that no person or entity other than one specified in the Code could advertise for, solicit, or recruit prospective parents for the purpose of facilitating the transfer, adoption, or other permanent placement of a child.

A violation of the current provisions is a misdemeanor punishable by imprisonment for up to 90 days or a maximum fine of \$100, or both, for the first violation. A subsequent violation is a felony punishable by imprisonment for up to four years and/or a maximum fine of \$2,000. These penalties also would apply to a violation of the bill's provisions.

The Code defines "solicit" as contact in person, by telephone or telegraph, by letter or other writing, or by other communication directed to a specific recipient. The bill, instead, would define "advertise for, solicit, or recruit" as to communicate in person, in writing, or via any medium, public or private, for the purpose of locating a previously unknown person or entity with whom to temporarily or permanently place a child.

MCL 777.15f (S.B. 924)  
710.55 (S.B. 925)

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill could have a negative fiscal impact on the State and local government. More misdemeanor and felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. In the long term, if the increased intake of prisoners increased the total prisoner population enough to require the Department of Corrections to open a housing unit or an entire facility, the marginal cost to State government would be approximately \$34,550 per prisoner per year. Any associated increase in fine revenue would be dedicated to public libraries.

Date Completed: 12-14-16

Fiscal Analyst: Ryan Bergan

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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.