

HOUSE BILL No. 5626

May 3, 2016, Introduced by Reps. Hooker, Cole, Vaupel, McCready, LaVoy, Victory, Price, Crawford, Howell, Iden, Canfield, Tedder, Runestad and McBroom and referred to the Committee on Judiciary.

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 55 of chapter X (MCL 710.55), as added by 1994 PA 222.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER X

Sec. 55. (1) Only a person specified in sections 23a(1), 23b(1), and 23c of this chapter may place a child for adoption. ~~Only a~~ **A** prospective adoptive parent may **ADVERTISE FOR**, solicit, **OR RECRUIT** biological parents or guardians of potential adoptees for the purposes of **A COURT-SUPERVISED** adoption. ~~Only a~~ **A** biological parent or guardian, ~~or~~ the court, department, or child placing agency with authority to place a child may **ADVERTISE FOR**, solicit, **OR RECRUIT** potential adoptive parents ~~for~~ **ONLY TO FULFILL THE**

1 purposes of **A COURT-SUPERVISED** adoption of that child. **NO OTHER**
2 **PERSON OR ENTITY MAY ADVERTISE FOR, SOLICIT, OR RECRUIT PROSPECTIVE**
3 **PARENTS FOR THE PURPOSE OF FACILITATING THE TRANSFER, ADOPTION, OR**
4 **OTHER PERMANENT PLACEMENT OF A CHILD.**

5 (2) A person who violates this section is guilty of a
6 misdemeanor punishable by imprisonment for not more than 90 days or
7 a fine of not more than \$100.00, or both, for the first violation,
8 and of a felony punishable by imprisonment for not more than 4
9 years or a fine of not more than \$2,000.00, or both, for each
10 subsequent violation. The court may enjoin from further violations
11 any person who violates this section.

12 (3) ~~(2)~~As used in this section, "**ADVERTISE FOR, solicit, OR**
13 **RECRUIT**" means ~~contact~~**TO COMMUNICATE** in person, by telephone or
14 telegraph, by letter or other writing, or by other communication
15 directed to a specific recipient. ~~Solicit does not include public~~
16 ~~communication that is not directed to specific individuals.~~**IN**
17 **WRITING, OR VIA ANY MEDIUM, PUBLIC OR PRIVATE, FOR THE PURPOSE OF**
18 **LOCATING A PREVIOUSLY UNKNOWN PERSON OR ENTITY WITH WHOM TO**
19 **TEMPORARILY OR PERMANENTLY PLACE A CHILD.**

20 Enacting section 1. This amendatory act takes effect 90 days
21 after the date it is enacted into law.

22 Enacting section 2. This amendatory act does not take effect
23 unless Senate Bill No. ____ or House Bill No. 5627 (request no.
24 04701'15 a) of the 98th Legislature is enacted into law.