

Act No. 481
Public Acts of 2016
Approved by the Governor
January 5, 2017
Filed with the Secretary of State
January 6, 2017
EFFECTIVE DATE: April 6, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Hooker, Cole, Vaupel, McCreedy, LaVoy, Victory, Price, Crawford, Howell, Iden, Canfield, Tedder, Runestad and McBroom

ENROLLED HOUSE BILL No. 5626

AN ACT to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 55 of chapter X (MCL 710.55), as added by 1994 PA 222.

The People of the State of Michigan enact:

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. 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. A biological parent or guardian, the court, department, or child placing agency with authority to place a child may advertise for, solicit, or recruit potential adoptive parents only to fulfill the purposes of a court-supervised adoption of that child. No other person or entity may advertise for, solicit, or recruit prospective parents for the purpose of facilitating the transfer, adoption, or other permanent placement of a child.

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

(3) As used in this section, “advertise for, solicit, or recruit” means 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.

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

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 924 of the 98th Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor