

# SENATE BILL No. 1134

November 8, 2018, Introduced by Senator EMMONS and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 2008 PA 260, entitled  
"Guardianship assistance act,"  
by amending section 4 (MCL 722.874), as amended by 2015 PA 227.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4. (1) Subject to subsection (2), a guardian who meets  
2 all of the following criteria may receive guardianship assistance  
3 on behalf of an eligible child:

4       (a) The guardian is the eligible child's relative or legal  
5 custodian.

6       (b) The guardian is a licensed foster parent and approved for  
7 guardianship assistance by the department. The approval process  
8 shall include criminal record checks and child abuse and **CHILD**  
9 neglect central registry checks on the guardian, **ALL SUCCESSOR**

1 **GUARDIANS**, and all adults living in the guardian's **OR SUCCESSOR**  
2 **GUARDIAN'S** home as well as **NATIONAL AND STATE** fingerprint-based  
3 criminal record checks on the guardian **OR SUCCESSOR GUARDIANS**. ~~If~~  
4 ~~the guardian's fingerprints are stored in the automated fingerprint~~  
5 ~~identification system under section 5k of 1973 PA 116, MCL~~  
6 ~~722.115k, the department shall use those fingerprints for the~~  
7 ~~criminal record check required in this subdivision.~~

8 (c) The eligible child has resided with the prospective  
9 guardian in the prospective guardian's residence for a minimum of 6  
10 months before the application for guardianship assistance is  
11 received by the department.

12 (2) Only a relative who is a licensed foster parent caring for  
13 a child who is eligible to receive title IV-E-funded foster care  
14 payments for 6 consecutive months is eligible for federal funding  
15 under title IV-E for guardianship assistance. A child who is not  
16 eligible for title IV-E funding who is placed with a licensed  
17 foster parent, related or unrelated, and who meets the requirements  
18 of section 3(a) to (e) may be eligible for state-funded  
19 guardianship assistance.

20 (3) If a child is eligible for title IV-E-funded guardianship  
21 assistance under section 3 but has a sibling who is not eligible  
22 under section 3, both of the following apply:

23 (a) The child and any of the child's siblings may be placed in  
24 the same relative guardianship arrangement in accordance with  
25 chapter XIIA of the probate code, **MCL 712A.1 TO 712A.32**, if the  
26 department and the relative agree on the appropriateness of the  
27 arrangement for the sibling.

1           (b) Title IV-E-funded relative guardianship assistance  
2 payments may be paid on behalf of each sibling placed in accordance  
3 with this subsection.

4           (4) A successor guardian may receive guardianship assistance  
5 payments if the eligibility criteria set forth in section 3 are  
6 met.

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