

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.