

# HOUSE BILL NO. 4696

June 26, 2025, Introduced by Reps. Meerman, Young, Hope, MacDonell, Scott, McFall, Rheingans, Xiong, Koleszar, Longjohn, T. Carter, Tsernoglou, Wooden, Myers-Phillips, McKinney, Glanville, Grant, B. Carter, Dievendorf, Morgan, Price, Mentzer, O'Neal, Rogers, Pohutsky, Breen, Conlin and Neeley and referred to Committee on Families and Veterans.

A bill to amend 2008 PA 260, entitled  
"Guardianship assistance act,"  
by amending section 2 (MCL 722.872), as amended by 2023 PA 69.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 2. As used in this act:
- 2       (a) "Certification" means a determination of eligibility by
- 3       the department that a foster child is eligible for guardianship
- 4       assistance or a medical subsidy, or both.
- 5       (b) "Child" means an individual less than 18 years of age.
- 6       (c) "Child placing agency" means that term as defined in

1 section 1 of 1973 PA 116, MCL 722.111.

2 (d) "Department" means the department of health and human  
3 services.

4 (e) "Eligible child" means a child who meets the eligibility  
5 criteria under section 3 for receiving guardianship assistance.

6 (f) "Guardian" means a person appointed by the court to act as  
7 a legal guardian for a child under section 19a or 19c of chapter  
8 XIIIA of the probate code, MCL 712A.19a and 712A.19c, another  
9 state's law or code, or applicable tribal law or code.

10 (g) "Guardianship assistance agreement" means a negotiated  
11 binding agreement regarding financial support as described in  
12 section 5 for children who meet the qualifications for guardianship  
13 assistance as specified in this act or in the department's  
14 administrative rules.

15 ~~(h) "Legal custodian" means an individual who is at least 18~~  
16 ~~years of age in whose care a child remains or is placed after a~~  
17 ~~court makes a finding under section 13a of chapter XIIIA of the~~  
18 ~~probate code, MCL 712A.13a, another state's law or code, or tribal~~  
19 ~~law or code.~~

20 (h) ~~(i)~~ "Probate code" means the probate code of 1939, 1939 PA  
21 288, MCL 710.21 to 712B.41.

22 (i) ~~(j)~~ "Prospective guardian" means an individual seeking  
23 guardianship of a child if an order appointing that guardianship  
24 has not been finalized by the court.

25 (j) ~~(k)~~ "Relative" means ~~that term as defined in section 13a~~  
26 ~~of chapter XIIIA of the probate code, MCL 712A.13a.~~ **an individual who**  
27 **meets all of the following conditions:**

28 (i) **Is at least 18 years of age and is either of the following:**

29 (A) **Related to the child within the fifth degree by blood,**

1 marriage, or adoption, including the spouse of an individual  
 2 related to the child within the fifth degree, even after the  
 3 marriage has ended by death or divorce, the parent who shares  
 4 custody of a half-sibling, and the parent of a man whom the court  
 5 has found probable cause to believe is the putative father if there  
 6 is no man with legally established rights to the child.

7 (B) Not related to a child within the fifth degree by blood,  
 8 marriage, or adoption but who has a strong positive emotional tie  
 9 or role in the child's life or the child's parent's life if the  
 10 child is an infant, as determined by the department or, if the  
 11 child is an Indian child, as determined solely by the Indian  
 12 child's tribe. As used in this sub-subparagraph, "Indian child" and  
 13 "Indian child's tribe" mean those terms as defined in section 3 of  
 14 chapter XIIB of the probate code, MCL 712B.3.

15 (ii) Has been approved for foster care placement.

16 (k) ~~(l)~~—"Successor guardian" means a person appointed by the  
 17 court to act as a legal guardian when the preceding guardian is no  
 18 longer able to act, as a result of ~~his or her~~ death or  
 19 incapacitation, under section 19a or 19c of chapter XIIIA of the  
 20 probate code, MCL 712A.19a and 712A.19c, another state's law or  
 21 code, or tribal law or code. Successor guardian does not include an  
 22 individual appointed as a guardian if that individual's parental  
 23 rights to the child have been terminated or suspended.

24 (l) ~~(m)~~—"Title IV-E" refers to the federal assistance provided  
 25 through the United States Department of Health and Human Services  
 26 to reimburse states for foster care, adoption assistance payments,  
 27 and guardianship assistance payments.

28 Enacting section 1. This amendatory act does not take effect  
 29 unless Senate Bill No. \_\_\_\_ (request no. S02992'25) or House Bill

- 1 No. 4697 (request no. H02992'25) of the 103rd Legislature is
- 2 enacted into law.