

SENATE BILL No. 1312

November 29, 1994, Introduced by Senator CISKY and referred to the Committee on Family Law, Mental Health, and Corrections.

A bill to amend chapter X of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

as amended, being sections 710.21 to 710.70 of the Michigan Compiled Laws, by adding section 22a.

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THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Section 1. Chapter X of Act No. 288 of the Public Acts of
- 2 1939, as amended, being sections 710.21 to 710.70 of the Michigan
- 3 Compiled Laws, is amended by adding section 22a to read as
- 4 follows:
- 5 ARTICLE X
- 6 SEC. 22A. A CHILD SHALL NOT BE PLACED WITH A PROSPECTIVE
- 7 ADOPTIVE PARENT AND AN ADOPTION ORDER SHALL NOT BE ISSUED IF A
- 8 PERSON AUTHORIZED TO PLACE THE CHILD OR THE COURT AUTHORIZED TO
- 9 ISSUE THE ORDER HAS RELIABLE INFORMATION THAT THE PROSPECTIVE
- 10 ADOPTIVE PARENT HAS BEEN CONVICTED UNDER ANY OF THE FOLLOWING:
- 11 (A) SECTION 145A OR 145C OF THE MICHIGAN PENAL CODE, ACT
- 12 NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTIONS 750.145A AND
- 13 750.145C OF THE MICHIGAN COMPILED LAWS.
- 14 (B) SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, ACT
- 15 NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTIONS 750.520B TO
- 16 750.520G OF THE MICHIGAN COMPILED LAWS, IF THE VICTIM WAS UNDER
- 17 THE AGE OF 18 AT THE TIME THE CRIME WAS COMMITTED.