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BILL ANALYSIS

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House Bill 4624 (Substitute H-1 as passed by the House)  
House Bill 4669 (Substitute H-2 as passed by the House)  
Sponsor: Representative James McNutt  
Representative James Ryan  
House Committee: Judiciary and Civil Rights  
Senate Committee: Families, Mental Health and Human Services

Date Completed: 12-5-96

**CONTENT**

**The bills would amend the Paternity Act and the Child Custody Act to change the definition of “child born out of wedlock” and to require the court to consider the parent-child relationship when awarding custody or granting parenting time to a biological father.**

The bills are tie-barred to each other.

Following is a more detailed description of the bills.

**House Bill 4624 (H-1)**

The bill would amend the Paternity Act to define “child born out of wedlock” as “a child born to a woman who was not married at the time of conception or the date of birth of the child, or a child that the court *determines* to be a child born or conceived during a marriage but not the issue of that marriage” (emphasis added).

Currently, the Act defines “child born out of wedlock” as “a child begotten and born to a woman who was not married from the conception to the date of birth of the child, or a child which the court *has determined* to be a child born or conceived during a marriage but not the issue of that marriage” (emphasis added).

**House Bill 4669 (H-2)**

The bill would amend the Child Custody Act to prohibit the court from granting custody of a child to an individual who established paternity of the child under the Paternity Act if the individual had not established a parent-child relationship with the child, as a custodian or otherwise, unless there were presented evidence beyond a reasonable doubt that it was in the best interests of the child to grant custody to the individual.

If an individual who established paternity of a child under the Paternity Act sought parenting time with that child, the court would have to consider whether the individual had an established parent-child relationship with the child when determining the frequency, duration, and type of parenting time to be granted.

MCL 722.711 (H.B. 4624)  
722.27 & 722.27a (H.B. 4669)

Legislative Analyst: L. Burghardt

**FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: M. Ortiz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.