

**SENATE BILL NO. 1219**

June 25, 1998, Introduced by Senator SCHUETTE and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1968 PA 293, entitled

"An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors,"

by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

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

1       Sec. 4. (1) Emancipation may occur by operation of law or  
2 pursuant to a petition filed by a minor with the family division  
3 of circuit court as provided in this act.

4       (2) An emancipation occurs by operation of law under any of  
5 the following circumstances:

6       (a) When a minor is validly married.

7       (b) When a person reaches the age of 18 years.

8       (c) During the period when the minor is on active duty with  
9 the armed forces of the United States.

1 (d) For the purposes of consenting to routine, nonsurgical  
2 medical care or emergency medical treatment to a minor, when the  
3 minor is in the custody of a law enforcement agency and the  
4 minor's parent or guardian cannot be promptly located. The minor  
5 or the minor's parent shall remain responsible for the cost of  
6 any medical care or treatment rendered pursuant to this  
7 subdivision. An emancipation pursuant to this subdivision shall  
8 end upon the termination of medical care or treatment or upon the  
9 minor's release from custody, whichever occurs first.

10 (e) For the purposes of consenting to his or her own preven-  
11 tive health care or medical care including surgery, dental care,  
12 or mental health care, except vasectomies or any procedure  
13 related to reproduction, during the period when the minor is a  
14 prisoner ~~under~~ COMMITTED TO the jurisdiction of the department  
15 of corrections AND IS HOUSED IN A STATE CORRECTIONAL FACILITY  
16 OPERATED BY THE DEPARTMENT OF CORRECTIONS OR IN A YOUTH CORREC-  
17 TIONAL FACILITY OPERATED BY THE DEPARTMENT OF CORRECTIONS OR A  
18 PRIVATE VENDOR UNDER SECTION 20G OF 1953 PA 232, MCL 791.220G; or  
19 the period when the minor is a probationer residing in a special  
20 alternative incarceration unit established under the special  
21 alternative incarceration act, ~~Act No. 287 of the Public Acts of~~  
22 ~~1988, being sections 798.11 to 798.18 of the Michigan Compiled~~  
23 ~~Laws, but~~ 1988 PA 287, MCL 798.11 TO 798.18. THIS SUBDIVISION  
24 APPLIES only if a parent or guardian of the minor cannot promptly  
25 be located by the department of corrections OR, IN THE CASE OF A  
26 YOUTH CORRECTIONAL FACILITY OPERATED BY A PRIVATE VENDOR, BY THE  
27 RESPONSIBLE OFFICIAL OF THE YOUTH CORRECTIONAL FACILITY.

1           (3) An emancipation occurs by court order pursuant to a  
2 petition filed by a minor with the family division of circuit  
3 court as provided in sections 4a to 4e.

4           Enacting section 1. This amendatory act takes effect  
5 January 1, 1998.