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ADOPTION: MISIDENTIFICATION OF BIOLOGICAL FATHER

House Bill 4638

Sponsor: Rep. Andrew Raczkowski

Committee: Civil Law and the Judiciary

Complete to 4-30-01

A SUMMARY OF HOUSE BILL 4638 AS INTRODUCED 4-19-01

The bill would add a new section to the Michigan Adoption Code (chapter 10 of the Probate Code) to prohibit individuals from knowingly misidentifying someone as the biological father of a child undergoing adoption and to add criminal penalties for such violations.

More specifically, when placing a child for adoption, an individual would be prohibited from knowingly misidentifying another person as the child's biological father to one or more of the following:

- A court, or one of its employees or agents;
- The Family Independence Agency;
- A child placing agency;
- An interested party.

Someone who knowingly misidentified someone else as the biological father of a child undergoing adoption would be guilty of a misdemeanor punishable by imprisonment for up to two years or a fine of up to \$1,000, or both. A criminal penalty allowed by the bill could be imposed in addition to any penalty that might be imposed for any other criminal offense arising from the same conduct.

MCL 710.69a

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.