

HOUSE BILL No. 4858

May 30, 2001, Introduced by Reps. Clark, Richardville, Quarles, Minore, Jamnick, Hale, Bogardus, Basham, Woodward, Reeves, Garza, Thomas, Schermesser, Jacobs, Kilpatrick, DeRossett, Sheltroun, Newell, Plakas, Neumann, Howell, Pestka, Godchaux, Vear, Stewart, Hager, Stallworth, Ruth Johnson, Anderson, Daniels, Phillips, Adamini, Rich Brown, Kolb, Murphy, Williams, Lipsey, Wojno, Hardman, Waters, O'Neil, Callahan, Whitmer, Spade, Bob Brown, Rivet, Hansen, Cassis, Toy, Clarke, Rocca, Dennis, Schauer, McConico and Lemmons and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
(MCL 710.21 to 712A.32) by adding section 11a to chapter XIIIA.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XIIIA

SEC. 11A. (1) IF, AT THE TIME INFORMATION IS GIVEN TO THE COURT UNDER SECTION 11 OF THIS CHAPTER OR THE COURT AUTHORIZES A PETITION TO BE FILED CONCERNING A CHILD, THE CHILD IS RESIDING WITH HIS OR HER RELATIVE, THE COURT SHALL NOT ISSUE AN ORDER TO REMOVE THE CHILD FROM THE RELATIVE'S CARE UNLESS THE COURT FINDS THAT THE CHILD IS AT RISK OF BEING HARMED. IF THE RELATIVE INTENDS TO BECOME THE CHILD'S FOSTER PARENT, GUARDIAN, OR ADOPTIVE PARENT, THE COURT SHALL NOT ORDER REMOVAL OF THE CHILD FROM THE RELATIVE UNTIL THE PROCEEDINGS REGARDING THE CHILD'S

1 PLACEMENT ARE CONCLUDED, UNLESS THE COURT FINDS THAT THE CHILD IS
2 AT RISK OF BEING HARMED.

3 (2) AS USED IN THIS SECTION, "RELATIVE" MEANS AN ADULT WHO
4 IS THE CHILD'S GRANDPARENT, BROTHER, SISTER, STEPSISTER, STEP-
5 BROTHER, UNCLE, OR AUNT BY MARRIAGE, BLOOD, OR ADOPTION.