

Legislative Analysis



CHILD PROTECTION: METH EXPOSURE

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Senate Bill 1116 (Substitute H-1)

Sponsor: Sen. Bill Hardiman

House Committee: Family and Children Services

Senate Committee: Families and Human Services

Complete to 5-23-06

A SUMMARY OF SENATE BILL 1116 AS REPORTED FROM HOUSE COMMITTEE ON 5-17-06

The bill would amend the Child Protection Law to apply to **instances where a child has been exposed to or has had contact with methamphetamine production. Generally speaking, such exposure would be treated as child abuse and neglect are currently treated.** The bill is a companion bill to House Bill 5844 which has recently passed the Senate.

The bill would require reporting and investigation by the Department of Human Services (DHS) and law enforcement agencies when a report or investigation of child abuse indicated a drug lab violation involving methamphetamine in violation of Section 7401c of the Public Health Code or when there was evidence that an individual allowed a child to be exposed to or have contact with methamphetamine production.

Also under the bill, DHS would be required to submit a petition for authorization by the Family Court under Section 2(b) of the Juvenile Code within 24 hours after determining that a child was allowed to be exposed to or have contact with methamphetamine production. [Section 2(b) of the juvenile code gives the Family Division of the Circuit Court jurisdiction over cases involving juveniles under the age of 18 in cases in which the parent or legal guardian neglects, refuses, or fails to provide proper care for the juvenile, or in which the juvenile's home or environment is unfit.]

(Section 7401c of the Public Health Code prescribes criminal penalties for owning, possessing, or using a vehicle, building, or place used to manufacture a controlled substance, counterfeit substance, or controlled substance analogue in violation of the Code; owning or possessing any chemical or laboratory equipment used for that purpose; or providing any chemical or lab equipment to another person who intends to use it for that purpose.)

MCL 722.628 and 722.637

FISCAL IMPACT:

The bill would have no significant impact on the State or local units of government.

POSITIONS:

Department of Human Services supports the bill. (5-17-06)

Fight Crime: Invest in Kids Michigan supports the bill. (5-17-06)

Legislative Analyst: E. Best
Fiscal Analyst: Bob Schneider

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