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BILL ANALYSIS

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Senate Bill 260 (Substitute S-1 as reported)
Sponsor: Senator Roger Kahn, M.D.
Committee: Families and Human Services

CONTENT

The bill would amend the Child Protection Law (CPL) to make certain information available to a court that had jurisdiction over a child in a suspected child abuse or neglect case, in the event of the child's death.

Under the CPL, a written report, document, or photograph filed with the Department of Human Services under the law is a confidential record available only to certain government agencies, law enforcement officials, and other specified entities, including a court that determines the information is necessary to decide an issue before the court.

The bill also would make the information available to a court that had jurisdiction over a child under Section 2(b) of the juvenile code, in the event of the child's death.

(Section 2(b) grants the family division of circuit court jurisdiction in proceedings involving a juvenile under the age of 18 whose parent or legal guardian neglects to provide proper or necessary support, education, medical, surgical or other necessary care; who is subject to a substantial risk of harm to his or her mental well-being; who is abandoned by his or her parents or guardian; or who is without proper custody or guardianship. The court also has jurisdiction over a juvenile whose home or environment is an unfit place to live in because of a parent's or guardian's neglect, cruelty, drunkenness, criminality, or depravity; or whose parent has substantially failed, without good cause, to comply with a limited guardianship plan or a court structured plan.)

MCL 722.627

Legislative Analyst: Curtis Walker

FISCAL IMPACT

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

Date Completed: 3-11-09

Fiscal Analyst: David Fosdick