

Legislative Analysis



MODIFY WHERE ADOPTION PETITION FILED

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House Bill 5743

Sponsor: Rep. Bruce Rendon

(Enacted as Public Act 531 of 2014)

Committee: Families, Children, and Seniors

Complete to 9-15-14

A SUMMARY OF HOUSE BILL 5743 AS INTRODUCED 9-9-14

The bill would amend Section 24 of Chapter X of the Probate Code to specify that persons who desire to adopt a child (or an adult) must file a petition with the court of the county where they reside, where the adoptee is found, or where the parent's parental rights were terminated or are pending termination. (This part of the Probate Code is known as the Michigan Adoption Code.)

A similar provision exists now in the section, but the bill would strike two related provisions. If the first instance, Section 24 now says that the option of filing where the parental rights were terminated applies when the petitioner and adoptee reside out of state. In the second instance, the statute says that if a petition for adoption is filed in a county other than that in which the petitioner resides or where the adoptee is found, then the chief judge of the court could, upon motion, enter an order transferring jurisdiction to the court of the county in which the petition resides or prospective adoptee is found.

(The bill retains a current related provision that specifies that in an adoption proceeding where there are more than two applicants, the petition for adoption must be filed in the county where the parental rights were terminated or are pending termination.)

MCL 710.24

FISCAL IMPACT:

The bill should have no fiscal impact on the state or on local units of government.

Legislative Analyst: E. Best
Fiscal Analyst: Kevin Koorstra

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