

Act No. 183  
Public Acts of 2020  
Approved by the Governor  
October 8, 2020  
Filed with the Secretary of State  
October 8, 2020  
EFFECTIVE DATE: October 8, 2020

**STATE OF MICHIGAN  
100TH LEGISLATURE  
REGULAR SESSION OF 2020**

Introduced by Reps. Brenda Carter, LaFave and Wozniak

## **ENROLLED HOUSE BILL No. 5148**

AN ACT to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 55 of chapter X (MCL 710.55), as amended by 2016 PA 481.

*The People of the State of Michigan enact:*

### CHAPTER X

Sec. 55. (1) Only a person specified in sections 23a(1), 23b(1), and 23c of this chapter may place a child for adoption. A prospective adoptive parent may advertise for, solicit, or recruit biological parents or guardians of potential adoptees for the purposes of a court-supervised adoption. A biological parent or guardian, the court, department, or child placing agency with authority to place a child may advertise for, solicit, or recruit potential adoptive parents only to fulfill the purposes of a court-supervised adoption of that child. No other person or entity may advertise for, solicit, or recruit prospective parents for the purpose of facilitating the transfer, adoption, or other permanent placement of a child.

(2) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00, or both, for the first violation, and of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both, for each subsequent violation. The court may enjoin from further violations any person who violates this section.

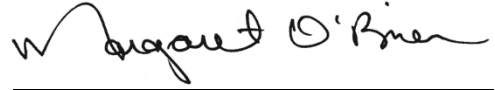
(3) As used in this section, “advertise for, solicit, or recruit” means to communicate in person, in writing, or via any medium, public or private, for the purpose of locating a previously unknown person or entity with whom to temporarily or permanently place a child. Advertise for, solicit, or recruit does not include disseminating information about the availability of an attorney’s legal services, including an advertisement or website as allowed under the Michigan rules of professional conduct.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved \_\_\_\_\_

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Governor