

Act No. 525
Public Acts of 1998
Approved by the Governor
January 12, 1999
Filed with the Secretary of State
January 12, 1999
EFFECTIVE DATE: January 12, 1999

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senator Cisky

ENROLLED SENATE BILL No. 1193

AN ACT to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

The People of the State of Michigan enact:

Sec. 7. (1) The department shall promulgate necessary rules for the maintenance, health, instruction, and training of the children under the control of the Michigan children's institute, for placing them in homes, and for their supervision while they remain public wards. The liability of a county for the cost of a child's care shall be determined under the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309.

(2) The superintendent is the authorized agent of the department to implement this act.

(3) The superintendent or the department may receive any donation, grant, or personal property for the benefit of the children of the Michigan children's institute. Upon receiving a donation, grant, or personal property, the superintendent or the department shall remit it within 30 days to the state treasury to be credited to the Michigan children's institute trust fund, which is created in the state treasury. The state treasurer may keep as much of the fund as the treasurer considers advisable invested in United States government bonds, notes, bills, certificates, or other obligations, and shall credit the earnings on the investments to the fund.

(4) The department may expend necessary amounts for the purposes of the Michigan children's institute for the care and education of the children during minority or until released as provided in this act. When a part of the trust fund is required by the department for these purposes, the superintendent shall obtain those funds by requisition.

(5) The department may utilize facilities existing in a county in caring for children and may accept the services of a voluntary organization for the benefit of the children, subject to rules promulgated by the department. The superintendent shall enforce these rules on behalf of the department.

(6) An agreement entered into with a person for the care of a child who is a ward of the Michigan children's institute shall provide that the department may cancel the agreement if, in the department's opinion, the interest of the child requires it. If a parent or relative within the third degree of consanguinity or affinity of a child who is a ward of the institute establishes a suitable home and is capable and willing to support the child, the department may restore the child to his or her parent or relative. The institute may assist the parent or relative with the support of the child if the aid is less than the cost of care the institute would otherwise provide.

(7) The department may place and maintain a child under the control of the institute in a licensed boarding home for children. The expense of supervision and transportation of the child to the home shall be paid out of money appropriated to the institute, subject to partial reimbursement by the county liable as provided in this section. The superintendent

shall cause an investigation of the condition and suitability of each boarding home to be made and a report to be made and kept on file at the superintendent's office. The report shall have the superintendent's approval before a child of the institute may be placed in the licensed boarding home.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

- (a) Senate Bill No. 1183.
- (b) Senate Bill No. 1184.
- (c) Senate Bill No. 1185.
- (d) Senate Bill No. 1186.
- (e) Senate Bill No. 1187.
- (f) Senate Bill No. 1196.
- (g) Senate Bill No. 1197.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Maya Rudolph

Clerk of the House of Representatives.

Approved _____

Governor.