

Act No. 331  
Public Acts of 2008  
Approved by the Governor  
December 17, 2008  
Filed with the Secretary of State  
December 18, 2008  
EFFECTIVE DATE: December 18, 2008

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

Introduced by Rep. Mayes

**ENROLLED HOUSE BILL No. 5828**

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," (MCL 710.21 to 712A.32) by adding section 56a to chapter X; and to repeal acts and parts of acts.

*The People of the State of Michigan enact:*

CHAPTER X

Sec. 56a. (1) Beginning January 1, 2004, if an application for adoption has been filed under this chapter and all the requirements of subsection (2) for entering an order of adoption under this chapter have been met, the probate court may enter an order of adoption, even if the adoptee is deceased at the time the order of adoption is entered.

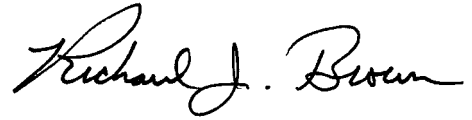
(2) The probate court may enter an order of adoption under subsection (1) by the foster parents of the deceased adoptee if all of the following requirements are met:

- (a) The foster parent or parents were available for adoption.
- (b) The parental rights of the adoptee's parents were terminated and the child has been committed to the Michigan children's institute by a court that has jurisdiction over the child.
- (c) The foster parents desire to adopt the adoptee.
- (d) The adoption procedures have been initiated under this chapter.
- (e) The Michigan children's institute supervisor would have granted consent to the adoption as required under section 43(1)(b) of this chapter after all the appropriate adoption procedures and requirements had been met.

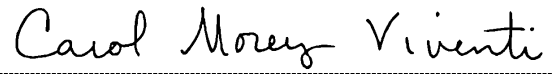
(3) The department shall not reimburse the adoptive parent or parents for any medical expenses incurred for or on behalf of the deceased adoptee and shall not pay medical assistance to the adoptive parent or parents as described in the provisions of section 115h of the social welfare act, 1939 PA 280, MCL 400.115h.

(4) This section is repealed immediately after an order for adoption is issued under this section.

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