

Legislative Analysis



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PUTATIVE FATHERS

House Bill 4648

Sponsor: Rep. Kenneth Kurtz

Committee: Families, Children, and Seniors

Complete to 5-14-13

A SUMMARY OF HOUSE BILL 4648 AS INTRODUCED 4-30-13

The bill would amend Chapter X of the Probate Code of 1939, which is known as the Adoption Code, to make two changes.

Section 39 addresses the rights of a putative father and describes when parental rights can be terminated and when they cannot. Where the code now refers to the putative father, the bill would refer to a putative father "who has registered in a timely manner with the Responsible Father Registry." That registry would be created by House Bill 4659. That bill would amend the Public Health Code to require the Department of Community Health to administer and maintain a "Responsible Father Registry." That registry would allow a man to voluntarily acknowledge paternity of a child.

The bill also would add to Section 39 a provision specifying that if the parental rights of the mother have not been terminated and the court finds that the best interest of the child would be served by granting custody to the putative father, the court would have to terminate the temporary placement made under the Code, return custody of the child to the mother, and dismiss the pending adoption proceeding.

The bill also states that the fact that the mother executed or proposed to execute a release or consent relinquishing her parental right and sought termination of the putative father's parental rights under the Code could not be used against the mother in any proceeding under the Child Custody Act.

MCL 710.39

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: E. Best
Fiscal Analyst: Kevin Koorstra

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