



# SENATE BILL No. 1039

May 21, 1996, Introduced by Senator GOUGEON and referred to the Committee on Judiciary.

A bill to amend section 1 of Act No. 271 of the Public Acts of 1925, entitled as amended

"An act to provide for the commitment to state institutions of certain children placed with, released to, or committed to persons, societies, organizations, associations or corporations licensed and approved by the state department of social welfare; to provide for the protection of the rights of children over whom jurisdiction is in doubt because of some question of residence, and providing for the payment of the expense thereof,"

being section 722.531 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 271 of the Public Acts of  
2 1925, being section 722.531 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 1. (1) Whenever it ~~shall be made to appear~~ APPEARS  
5 to the ~~probate~~ court that ~~any~~ A child ~~heretofore or~~  
6 ~~hereafter~~ placed with, committed to, or released to ~~any~~ A  
7 person, society, organization, association, or corporation

1 licensed and approved by the ~~state department of social welfare~~  
 2 FAMILY INDEPENDENCE AGENCY to receive, maintain, or place out for  
 3 adoption minor children or to obtain homes for dependent and  
 4 neglected children, is, by reason of mental or physical disabil-  
 5 ity or for any other reason, incapable of adoption, ~~such~~ THE  
 6 child may be committed to a proper state institution. ~~Such~~ A  
 7 commitment UNDER THIS SECTION may be made by the ~~probate~~ court  
 8 for the county in which the home of ~~such~~ THE person, or the  
 9 principal office of ~~such~~ THE society, organization,  
 10 association, or corporation is located, or for the county in  
 11 which the child was placed with, released to, or committed to  
 12 ~~such~~ THE person, society, organization, association, or corpo-  
 13 ration, or for the county in which ~~such~~ THE child may be FOUND,  
 14 upon application of the person or the principal officer of the  
 15 society, organization, association, or corporation to which such  
 16 child has been committed or released. The expense of committing  
 17 ~~such~~ THE child to a state institution and any expense charge-  
 18 able to counties for maintenance in ~~any such~~ A state institu-  
 19 tion ~~—~~ shall be paid by the county where ~~such~~ THE child was a  
 20 resident at the time of ~~its~~ HIS OR HER placement with, release  
 21 to, or commitment to ~~such~~ THE person, society, organization,  
 22 association, or corporation.

23 (2) AS USED IN THIS SECTION, "COURT" MEANS 1 OF THE FOLLOW-  
 24 ING, AS APPLICABLE:

25 (A) FOR COMMITMENT PROCEEDINGS COMMENCING BEFORE JANUARY 1,  
 26 1998, THE PROBATE COURT.

1 (B) FOR COMMITMENT PROCEEDINGS COMMENCING ON OR AFTER  
2 JANUARY 1, 1998, THE FAMILY DIVISION OF CIRCUIT COURT.

3 Section 2. This amendatory act shall not take effect unless  
4 House Bill No. 5158 of the 88th Legislature is enacted into law.