

# Legislative Analysis

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## REVISE REFERENCES TO CHILD CUSTODY

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### House Bill 6213

Sponsor: Rep. Paul Condino

### House Bill 6214

Sponsor: Rep. Jim Howell

Committee: Judiciary

Complete to 11-3-04

## A SUMMARY OF HOUSE BILLS 6213 AND 6214 AS INTRODUCED 9-22-04

The bills are part of a package to amend various acts to revise terms relating to child custody. Both bills are tie-barred to House Bill 5949, which would rename the Child Custody Act as the Child Parenting Act and make similar changes. House Bill 6214 has an effective date of January 1, 2005.

House Bill 6213 would amend the Uniform Child-Custody Jurisdiction and Enforcement Act (MCL 722.1102 and 722.1405) to revise the definitions of "child-custody determination" and "child-custody proceeding". Currently, a child-custody determination means a judgment, decree, or other court order providing for legal custody, physical custody, or parenting time with respect to a child, and a child-custody proceeding means a proceeding in which legal custody, physical custody, or parenting time with respect to a child is an issue. To each of these sentences, the bill would add the following clause: "including, in the context of Michigan law, parenting time with respect to the allocation or sharing of responsibilities of parenting of a child between a parent and a third party, as sought or ordered under the Child Parenting Time Act.

The bill would also amend the title of the act to include parenting time proceedings within the powers and duties of a court under the act.

House Bill 6214, would, in general, amend the Probate Code (MCL 710.22 et al.) to replace references to the Child Custody Act with Child Parenting Time Act and revise many of the references to custody, legal custody, and physical custody to include or be replaced with "parenting time" or "sole parenting time".

## FISCAL IMPACT:

The bills would have no direct fiscal impact on state or local units of government.

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