

SENATE BILL No. 1281

May 24, 2006, Introduced by Senators VAN WOERKOM, SANBORN, TOY, PATTERSON, CROPSEY, STAMAS and GILBERT and referred to the Committee on Families and Human Services.

A bill to amend 1970 PA 91, entitled
"Child custody act of 1970,"
by amending section 3 (MCL 722.23), as amended by 1993 PA 259.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act, "best interests of the child"
2 means the sum total of the following factors to be considered,
3 evaluated, and determined by the court:

4 (a) The love, affection, and other emotional ties existing
5 between the parties involved and the child.

6 (b) The capacity and disposition of the parties involved to
7 give the child love, affection, and guidance and to continue the
8 education and raising of the child in his or her religion or creed,
9 if any.

1 (c) The capacity and disposition of the parties involved to
2 provide the child with food, clothing, medical care or other
3 remedial care recognized and permitted under the laws of this state
4 in place of medical care, and other material needs.

5 (d) The length of time the child has lived in a stable,
6 satisfactory environment, and the desirability of maintaining
7 continuity.

8 (e) The permanence, as a family unit, of the existing or
9 proposed custodial home or homes.

10 (f) The moral fitness of the parties involved.

11 (g) The mental and physical health of the parties involved.

12 (h) The home, school, and community record of the child.

13 (i) The reasonable preference of the child, if the court
14 considers the child to be of sufficient age to express preference.

15 (j) The willingness and ability of each of the parties to
16 facilitate and encourage a close and continuing parent-child
17 relationship between the child and the other parent or the child
18 and the parents.

19 (k) Domestic violence, regardless of whether the violence was
20 directed against or witnessed by the child.

21 **(l) WHETHER THE CHILD WOULD RESIDE IN THE SAME RESIDENCE AS AN**
22 **INDIVIDUAL REQUIRED TO BE REGISTERED UNDER THE SEX OFFENDERS**
23 **REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO 28.736.**

24 **(M) —(l)—** Any other factor considered by the court to be
25 relevant to a particular child custody dispute.