

SENATE BILL No. 1586

November 30, 2010, Introduced by Senator SCOTT and referred to the Committee on Families and Human Services.

A bill to amend 1935 PA 220, entitled

"An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,"

by amending sections 7 and 9 (MCL 400.207 and 400.209), section 7 as amended by 1998 PA 525 and section 9 as amended by 2004 PA 470.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The department shall promulgate necessary rules
2 for the maintenance, health, instruction, and training of the
3 children under the control of the Michigan children's institute,
4 for placing them in homes, and for their supervision while they
5 remain public wards. The liability of a county for the cost of a
6 child's care shall be determined under the youth rehabilitation
7 services act, 1974 PA 150, MCL 803.301 to 803.309.

1 (2) The superintendent is the authorized agent of the
2 department to implement this act.

3 (3) The superintendent or the department may receive any
4 donation, grant, or personal property for the benefit of the
5 children of the Michigan children's institute. Upon receiving a
6 donation, grant, or personal property, the superintendent or the
7 department shall remit it within 30 days to the state treasury to
8 be credited to the Michigan children's institute trust fund, which
9 is created in the state treasury. The state treasurer may keep as
10 much of the fund as the treasurer considers advisable invested in
11 United States government bonds, notes, bills, certificates, or
12 other obligations, and shall credit the earnings on the investments
13 to the fund.

14 (4) The department may expend necessary amounts for the
15 purposes of the Michigan children's institute for the care and
16 education of the children during minority or until released as
17 provided in this act. When a part of the trust fund is required by
18 the department for these purposes, the superintendent shall obtain
19 those funds by requisition.

20 (5) The department may utilize facilities existing in a county
21 in caring for children and may accept the services of a voluntary
22 organization for the benefit of the children, subject to rules
23 promulgated by the department. The superintendent shall enforce
24 these rules on behalf of the department.

25 (6) An agreement entered into with a person for the care of a
26 child who is a ward of the Michigan children's institute shall
27 provide that the department may cancel the agreement if, in the

1 department's opinion, the interest of the child requires it. If a
2 parent or relative within the third degree of consanguinity or
3 affinity of a child who is a ward of the institute establishes a
4 suitable home and is capable and willing to support the child, the
5 department may restore the child to his or her parent or relative.
6 ~~The institute may assist the parent or relative with the support of~~
7 ~~the child if the aid is less than the cost of care the institute~~
8 ~~would otherwise provide.~~

9 (7) The department may place and maintain a child under the
10 control of the institute in a licensed boarding home for children.
11 The expense of supervision and transportation of the child to the
12 home shall be paid out of money appropriated to the institute,
13 subject to partial reimbursement by the county liable as provided
14 in this section. The superintendent shall cause an investigation of
15 the condition and suitability of each boarding home to be made and
16 a report to be made and kept on file at the superintendent's
17 office. The report shall have the superintendent's approval before
18 a child of the institute may be placed in the licensed boarding
19 home.

20 Sec. 9. (1) The superintendent of the institute is authorized
21 to consent to the **REINSTATEMENT OF PARENTAL RIGHTS**, adoption,
22 marriage, or emancipation of any child who may have been committed
23 to the institute, according to the laws for the **REINSTATEMENT OF**
24 **PARENTAL RIGHTS**, adoption, marriage, or emancipation of minors. On
25 such **REINSTATEMENT OF PARENTAL RIGHTS**, adoption, marriage, or
26 emancipation, the child ~~so adopted, married, or emancipated~~ shall
27 cease to be a ward of the state.

1 (2) On ~~the effective date of the amendatory act that added~~
2 ~~this subsection, the family independence agency~~ **DECEMBER 28, 2004,**
3 **THE DEPARTMENT** shall discontinue the Michigan children's institute
4 preliminary consent denial review process.