



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 503 (as reported without amendment)
Sponsor: Senator Judy K. Emmons
Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Michigan Indian Family Preservation Act, which establishes standards and procedures for proceedings that involve an Indian child, including proceedings for custody, guardianship, and adoption, to do the following:

- Specify that certain requirements would apply if a parent, rather than both of the parents or an Indian custodian, consented to adoptive placement of an Indian child or the termination of the parent's parental rights for the express purpose of adoption.
- Provide that, in a proceeding for removal of an Indian child from a parent or Indian custodian, an expert witness would have to testify that the continued custody of the Indian child by the parent or Indian custodian would likely result in serious emotional or physical damage to the child.
- Require a court that discovered that a child could be an Indian child after a guardianship was ordered, to notify the tribe, the parents or Indian custodian, and the current guardian that the Act potentially could apply.

The bill also would refer to an "Indian child" throughout the Act in places that currently refer to "a child".

The bill would take effect 90 days after its enactment.

MCL 712B.3 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-15-15

Fiscal Analyst: Ryan Bergan