

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 983

A bill to amend 1994 PA 204, entitled  
"The children's ombudsman act,"  
by amending section 3 (MCL 722.923), as amended by 2004 PA 560.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. (1) As a means of effecting changes in policy,  
2 procedure, and legislation, educating the public, investigating and  
3 reviewing actions of the department, child placing agencies, or  
4 child caring institutions, monitoring and ensuring compliance with  
5 relevant statutes, rules, and policies pertaining to children's  
6 protective services and the placement, supervision, treatment, and  
7 improving delivery of care of children in foster care and adoptive  
8 homes, the children's ombudsman is established as an autonomous  
9 entity ~~in the department of management and budget.~~**within the**

1 **legislative council.**

2 (2) The ~~governor~~**legislative council** shall appoint an  
3 individual as the ombudsman. ~~, with the advice and consent of the~~  
4 ~~senate.~~The individual shall ~~must~~ be qualified by training and  
5 experience to perform the duties and exercise the powers of the  
6 children's ombudsman and the children's ombudsman office as  
7 provided in this act.

8 ~~(3) The governor may remove the children's ombudsman from~~  
9 ~~office for cause that includes, but is not limited to, incompetency~~  
10 ~~to properly exercise duties, official misconduct, habitual or~~  
11 ~~willful neglect of duty, or other misfeasance or malfeasance in~~  
12 ~~connection with the operation of the office of the children's~~  
13 ~~ombudsman. The governor shall report the reason for the removal to~~  
14 ~~the legislature.~~

15 (3) ~~(4)~~The children's ombudsman serving in office on the  
16 effective date of the amendatory act that ~~added~~**amended** this  
17 subsection shall serve at the pleasure of the ~~governor~~**legislative**  
18 **council.**