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**BILL ANALYSIS**

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Senate Bill 529 (as reported without amendment)  
Sponsor: Senator Judy K. Emmons  
Committee: Families, Seniors and Human Services

**CONTENT**

The bill would amend the Guardianship Assistance Act to authorize the Department of Health and Human Services (DHHS) to pay guardianship assistance to a successor guardian on behalf of an eligible child, if the successor guardian were appointed due to the death or incapacitation of the preceding guardian and the following conditions were met:

- A guardianship assistance agreement for the child was in effect before the appointment of the successor guardian.
- The preceding guardian had an active guardianship assistance agreement for the child before his or her death or incapacitation.
- The successor guardian met all of the conditions set forth in the Act.

The bill would allow a preceding guardianship assistance agreement to be transferred to a successor guardian who was appointed by the court, when the successor guardian entered into a written, binding guardianship assistance agreement with the DHHS. The bill also would extend to a successor guardian certain requirements that apply to a guardian.

The bill would define "successor guardian" as a person appointed by the court under the juvenile code to act as a legal guardian when the preceding guardian is no longer able to act as a result of his or her death or incapacitation. The term would not include a person appointed as a guardian if that person's parental rights to the child have been terminated or suspended.

The bill would take effect 90 days after its enactment.

MCL 722.872 et al.

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill could have a positive fiscal impact on State and local government. To the extent that the appointment of successor guardians resulted in the continuance of existing guardianship assistance agreements under which the successor guardians were eligible to receive assistance on behalf of eligible children, there would be no fiscal impact. If the appointment of a successor guardian reduced the need for other services that a child would require due to the loss of the preceding guardianship, there could be savings to both State and local governments through the Child Care Fund. Local governments must pay 50% of the costs of foster care placements into the Child Care Fund; in those cases, the children are not eligible for Title IV-E funding (Federal assistance provided to reimburse states for foster care, adoption assistance payments, and guardianship assistance payments).

Date Completed: 10-15-15

Fiscal Analyst: John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.