



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 489 (Substitute S-2 as reported)  
Senate Bill 490 (Substitute S-1 as reported)  
Senate Bill 797 (Substitute S-1 as reported)  
Senate Bill 798 (Substitute S-1 as reported)  
Sponsor: Senator Margaret E. O'Brien (S.B. 489)  
Senator Arlan Meekhof (S.B. 490)  
Senator Vincent Gregory (S.B. 797)  
Senator Peter MacGregor (S.B. 798)  
Committee: Oversight

**CONTENT**

Senate Bill 798 (S-1) would enact the "Safe Families for Children Act" to do the following:

- Permit a parent or guardian of a minor child (an individual less than 18 years old), by a properly executed power of attorney, to temporarily delegate to another person the parent's or guardian's powers regarding care, custody, and property of the child.
- Permit a tax-exempt charitable organization, with the assistance of a "family service agency", to recruit people or families to whom temporary power of attorney could be executed.
- Require a family service agency to request the Michigan Department of State Police to conduct a criminal history check and a criminal records check on each person over 18 years of age residing in a home where a minor child could be temporarily hosted.
- Require a family service agency to conduct at various intervals a home safety assessment and inspection for each home where a minor child could be temporarily hosted.
- Require a family service agency to provide certain training for people in a home that was hosting a minor child.
- Require a family service agency to maintain records for each criminal history records check, home safety assessment, and training for a period of at least seven years after a minor child attained 18 years of age.
- Require a family service agency to be licensed as a child placing agency.

Senate Bill 489 (S-2) would amend the definitions of "foster family home" and "foster family group home" in Public Act 116 of 1973 (which provides for the licensing of child care organizations) to refer to a private home in which minor children were not hosted as provided in the proposed Safe Families for Children Act.

Senate Bill 490 (S-1) would amend the Foster Care and Adoption Services Act to exclude from the definition of "foster care" the delegation of a parent's or guardian's powers regarding care, custody, or property of a child or ward under a properly executed power of attorney under the proposed Safe Families for Children Act.

Senate Bill 797 (S-1) would amend Public Act 116 of 1973 to specify that a service provided under the Safe Families for Children Act by an organization licensed under Public Act 116 would not be subject to the Act's licensing requirements.

MCL 722.111 (S.B. 489)  
722.952 (S.B. 490)  
Proposed MCL 722.128c (S.B. 797)

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

Senate Bill 489 (S-2) would have no fiscal impact on State or local government.

Senate Bill 490 (S-1) could result in a fiscal savings for State and local government. As proposed by the bill, foster care would exclude temporary care if a caregiver were unable to provide the necessary care and voluntarily allowed his or her child to live with host a family. Since the child would not be a State or court ward who had been placed with a formal foster parent, there would be no board and care costs charged on 50% to the State and 50% to the county. If the definition under the bill allowed children who currently would be placed in a paid foster care home funded by the State Ward Board and Care fund or the County Child Care fund, to be diverted to a volunteer host family, there would be savings to both the State and local government.

Senate Bill 797 (S-1) would have no fiscal impact on State or local government.

Senate Bill 798 (S-1) would have a minimal fiscal impact on the Department of State Police. The requirements under the bill regarding the conduct of criminal history background checks and the use of data systems are already assumed and provided for under the Department's existing budget.

Date Completed: 2-15-18

Fiscal Analyst: Bruce Baker  
John Maxwell  
Josh Sefton