

HOUSE BILL NO. 6075

May 05, 2022, Introduced by Reps. Rendon, Whiteford and Brann and referred to the Committee on Families, Children, and Seniors.

A bill to amend 2008 PA 260, entitled
"Guardianship assistance act,"
by amending section 2 (MCL 722.872), as amended by 2015 PA 227.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. As used in this act:
- 2 (a) "Child" means a person less than 18 years of age.
- 3 (b) "Department" means the department of health and human
4 services.
- 5 (c) "Eligible child" means a child who meets the eligibility
6 criteria ~~set forth in~~ **under** section 3 for receiving guardianship

1 assistance.

2 (d) "Guardian" means a person appointed by the court to act as
3 a legal guardian for a child under section 19a or 19c of chapter
4 XIIIA of the probate code, MCL 712A.19a and 712A.19c.

5 (e) "Guardianship assistance agreement" means a negotiated
6 binding agreement regarding financial support as described in
7 section 5 for children who meet the qualifications for guardianship
8 assistance as specified in this act or in the department's
9 administrative rules.

10 (f) "Legal custodian" means an individual who is at least 18
11 years of age in whose care a child remains or is placed after a
12 court makes a finding under section 13a of chapter XIIIA of the
13 probate code, MCL 712A.13a.

14 (g) "Probate code" means the probate code of 1939, 1939 PA
15 288, MCL 710.21 to 712B.41.

16 (h) "Relative" means ~~an individual who is at least 18 years of~~
17 ~~age and related to the child by blood, marriage, or adoption, as~~
18 ~~grandparent, great-grandparent, great-great-grandparent, aunt or~~
19 ~~uncle, great-aunt or great-uncle, great-great-aunt or great-great-~~
20 ~~uncle, sibling, stepsibling, nephew or niece, first cousin or first~~
21 ~~cousin once removed, or the spouse of any of the above, even after~~
22 ~~the marriage has ended by death or divorce. The parent of a man who~~
23 ~~the court has found probable cause to believe is the putative~~
24 ~~father if there is no man with legally established rights to the~~
25 ~~child may be considered a relative under this act but this is not~~
26 ~~to be considered as a finding of paternity and does not confer~~
27 ~~legal standing on the putative father.~~ **that term as defined in**
28 **section 13a of chapter XIIIA of the probate code, MCL 712A.13a.**

29 (i) "Successor guardian" means a person appointed by the court

1 to act as a legal guardian when the preceding guardian is no longer
2 able to act, as a result of his or her death or incapacitation,
3 under section 19a or 19c of chapter XIIA of the probate code, MCL
4 712A.19a and 712A.19c. Successor guardian does not include a person
5 appointed as a guardian if that person's parental rights to the
6 child have been terminated or suspended.

7 (j) "Title IV-E" refers to the federal assistance provided
8 through the United States Department of Health and Human Services
9 to reimburse states for foster care, adoption assistance payments,
10 and guardianship assistance payments.

11 Enacting section 1. This amendatory act does not take effect
12 unless House Bill No. 5974 of the 101st Legislature is enacted into
13 law.