

Act No. 294  
Public Acts of 2023  
Approved by the Governor  
December 12, 2023  
Filed with the Secretary of State  
December 13, 2023  
EFFECTIVE DATE: February 13, 2024

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2023**

Introduced by Reps. Edwards, Hope, Wilson, Tsernoglou, Paiz, Rogers, Morse, Miller, Byrnes, Young, Pohutsky, Rheingans, Wegela, Dievendorf, Hood, Grant, O'Neal, Breen, Price, Tyrone Carter, Brixie, Hoskins, Morgan, MacDonell, Brenda Carter, Brabec, Arbit, Glanville, McKinney, Scott, Conlin, Skaggs and Aiyash

## **ENROLLED HOUSE BILL No. 4639**

AN ACT to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 115m (MCL 400.115m), as amended by 2014 PA 308.

*The People of the State of Michigan enact:*

Sec. 115m. (1) The department shall prepare and distribute to adoption facilitators and other interested persons information describing the adoption process and the adoption assistance and medical subsidy programs established under sections 115f to 115s. The state department shall provide the information to each prospective adoptive parent before placing a child with that parent.

(2) The description of the adoption process required under subsection (1) must include at least all of the following:

(a) The steps that must be taken under the adoption code to complete an adoption, and a description of all of the options available during the process.

(b) A description of the services that are typically available from each type of adoption facilitator.

(c) Recommended questions for a biological parent or prospective adoptive parent to ask an adoption facilitator before engaging that adoption facilitator's services.

(d) A list of the rights and responsibilities of biological parents and prospective adoptive parents.

(e) A description of the information services available to biological and prospective adoptive parents, including, but not limited to, all of the following:

(i) The registry of adoptive homes established and maintained by the department under section 8 of the foster care and adoption services act, 1994 PA 203, MCL 722.958.

(ii) The directory of children that is produced under section 8 of the foster care and adoption services act, 1994 PA 203, MCL 722.958.

(iii) The public information forms maintained by the department according to section 14d of 1973 PA 116, MCL 722.124d.

(f) A statement about the existence of the child advocate and its authority as an investigative body.

(g) A statement about the importance and availability of counseling for all parties to an adoption and that a prospective adoptive parent must pay for counseling for a birth parent or guardian unless the birth parent or guardian waives the counseling.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 432 or House Bill No. 4638 of the 102nd Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor