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BILL



ANALYSIS

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Senate Bill 485 (as reported by the Committee of the Whole)  
Sponsor: Senator Dale L. Shugars  
Committee: Families, Mental Health and Human Services

### **CONTENT**

The bill would amend the Michigan Adoption Code and the juvenile code to require all of the following:

- That evidence of a criminal conviction, alcohol abuse, and controlled substance abuse be included when a court considered the moral fitness of the adopting persons, or of the putative father, in determining the best interests of the child for the purpose of deciding whether to give an adoptee permanence.
- That a court consider evidence of a criminal conviction, alcohol abuse, and controlled substance abuse in determining whether to remove a child from his or her home due to abuse or neglect and in determining custody of a child victim of abuse and neglect.
- That a court consider evidence of a criminal conviction, alcohol abuse, and controlled substance abuse in making a finding regarding the termination of parental rights to a child in foster care.

"Alcohol abuse" would mean "the recent frequent and routine consumption of alcoholic beverages to the point of intoxication", and "controlled substance abuse" would mean "either the frequent and routine consumption of a controlled substance in an amount exceeding the dosage recommended by the prescriber or the recent consumption of a controlled substance for which the user had no prescription or for which no prescription is available". "Recent" would mean within 24 months prior to the court hearing.

The bill provides that it would take effect on April 1, 1996.

MCL 710.22 et al.

Legislative Analyst: L. Burghardt

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 10-6-95

Fiscal Analyst: M. Bain

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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.