



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 486 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Dale Shugars
Committee: Families, Mental Health, and Human Services

CONTENT

The bill would amend the Child Custody Act to provide that in determining the best interests of a child in a custody dispute:

- The court would be prohibited from awarding custody based solely upon a finding that a party was compelled to have a caretaker other than a family member care for the child if the caretaking arrangement were necessitated by the demands of the party's employment or education.
- Evidence of a criminal conviction, alcohol abuse, or controlled substance abuse would have to be included when a court considered the moral fitness of the parties involved in the dispute.

"Alcohol abuse" would mean "the recent frequent and routine consumption of alcoholic beverages to the point of intoxication". "Controlled substance" would mean a drug, substance, or immediate precursor in Schedules 1 to 5 of Part 72 of the Public Health Code. "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 April 1, 1996.

MCL 722.23

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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