

**FINES FOR MISUSE OF ADOPTION  
OR SAFE DELIVERY PROCEDURES**

**House Bill 6451**

**Sponsor: Rep. Alexander Lipsey**

**Committee: Civil Law and the Judiciary**

**Complete to 10-24-02**

**A SUMMARY OF HOUSE BILL 6451 AS INTRODUCED 9-24-02**

House Bill 6451 would amend Chapters X and XII of the Probate Code, known as the Michigan Adoption Code (MCL 710-21a) and the Safe Delivery of Newborns Law (MCL 712.2 and 712.7), respectively, to establish civil fines for misusing adoption procedures or safe delivery requirements. The provisions of the bill would apply to a child placing agency or to one of its officers or employees.

Michigan Adoption Code. Chapter X of the Michigan Adoption Code concerns the procedures and services for safeguarding and promoting the best interests of adoptees and the legal proceedings for ensuring that an adoptee is free for adoptive placement at the earliest possible time. The bill would add that these procedures could be used only to facilitate adoptions initiated by willing birth parents. If it were determined that the procedures had been used to the detriment of a child or a child's birth parent, then a civil fine of up to \$20,000 could be imposed by the court. In addition, a court could also order that the child's or birth parent's costs and attorney fees be paid.

Safe Delivery Law. The bill would specify that the procedures prescribed and authorized under the act for surrendering a newborn to an emergency service provider (a uniformed employee of a fire department, hospital, or police station) may only be used under the circumstances and for the purpose for which they are intended, and not as an alternative adoption process. Under the bill, a civil fine of up to \$10,000, plus payment of the child's or birth parent's costs and attorney fees, could be imposed if a court determined that the procedures had been used to the detriment of a child or a child's birth parent.

**House Bill 6451 (10-24-02)**

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.