

# Legislative Analysis

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## **PARENTING TIME: ACTIVE DUTY MILITARY**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5536 as introduced**  
**Sponsor: Rep. Hank Vaupel**  
**Committee: Judiciary**  
**Complete to 4-18-16**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

The bill would add a new section to the Child Custody Act to allow a noncustodial parent who has been granted parenting time and who is on active duty in the military outside of Michigan to petition the court to allow a family member to fulfill his or her court-ordered parenting time.

(The term "active duty" in the act means that term as defined in Section 101 of the federal Servicemembers Civil Relief Act, 50 USC 511, except that it also includes full-time National Guard duty.)

If a petition is filed, the court may enter a temporary order allowing the noncustodial parent to assign parenting time to a family member if there is clear and convincing evidence that it is in the best interest of the child to do so. Once the noncustodial parent returns to Michigan, the court must reinstate the parenting time order that had been in effect immediately preceding the period of active duty served outside of Michigan.

The bill will take effect 90 days after enactment.

MCL 722.27d, proposed

### **FISCAL IMPACT:**

The bill would have an indeterminate fiscal impact on the judiciary and local court funding units. The fiscal impact would depend on how provisions of the bills affected caseloads and related administrative costs.

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