

HOUSE BILL No. 4550

May 2, 2019, Introduced by Reps. Brenda Carter and Crawford and referred to the Committee on Families, Children, and Seniors.

A bill to amend 2008 PA 260, entitled "Guardianship assistance act," by amending section 4 (MCL 722.874), as amended by 2015 PA 227.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) Subject to subsection (2), a guardian who meets
2 all of the following criteria may receive guardianship assistance
3 on behalf of an eligible child:

4 (a) The guardian is the eligible child's relative or legal
5 custodian.

6 (b) The guardian is a licensed foster parent and approved for
7 guardianship assistance by the department. The approval process
8 shall include criminal record checks and child abuse and **CHILD**
9 neglect central registry checks on the guardian, **ALL SUCCESSOR**
10 **GUARDIANS**, and all adults living in the guardian's **OR SUCCESSOR**
11 **GUARDIAN'S** home as well as **NATIONAL AND STATE** fingerprint-based

1 criminal record checks on the guardian **OR SUCCESSOR GUARDIANS**. ~~If~~
2 ~~the guardian's fingerprints are stored in the automated fingerprint~~
3 ~~identification system under section 5k of 1973 PA 116, MCL~~
4 ~~722.115k, the department shall use those fingerprints for the~~
5 ~~criminal record check required in this subdivision.~~

6 (c) The eligible child has resided with the prospective
7 guardian in the prospective guardian's residence for a minimum of 6
8 months before the application for guardianship assistance is
9 received by the department.

10 (2) Only a relative who is a licensed foster parent caring for
11 a child who is eligible to receive title IV-E-funded foster care
12 payments for 6 consecutive months is eligible for federal funding
13 under title IV-E for guardianship assistance. A child who is not
14 eligible for title IV-E funding who is placed with a licensed
15 foster parent, related or unrelated, and who meets the requirements
16 of section 3(a) to (e) may be eligible for state-funded
17 guardianship assistance.

18 (3) If a child is eligible for title IV-E-funded guardianship
19 assistance under section 3 but has a sibling who is not eligible
20 under section 3, both of the following apply:

21 (a) The child and any of the child's siblings may be placed in
22 the same relative guardianship arrangement in accordance with
23 chapter XIIA of the probate code, **MCL 712A.1 TO 712A.32**, if the
24 department and the relative agree on the appropriateness of the
25 arrangement for the sibling.

26 (b) Title IV-E-funded relative guardianship assistance
27 payments may be paid on behalf of each sibling placed in accordance

1 with this subsection.

2 (4) A successor guardian may receive guardianship assistance
3 payments if the eligibility criteria set forth in section 3 are
4 met.

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.