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3 **Title:** **Legislation to Change Grounds for Reunification in Michigan**
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5 **Introduced by:** **Cathy Blight, MD, for the Genesee County Delegation**
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7 **Original Author:** **Nita Kulkarni, MD**
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9 **Referred to:** **Reference Committee B**
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11 **House Action:** **Approved as Amended**
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14 **Whereas, currently, Section 19b of the Michigan Probate Code of 1939**
15 **(Michigan Compiled Law 712A.19b) lists reasons for the termination of parental**
16 **or guardianship rights, and**
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18 **Whereas, MCL 712A.19b includes subsections that address physical or**
19 **sexual abuse by a parent or the failure to prevent said physical or sexual abuse**
20 **as grounds for parental termination, and**
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22 **Whereas, there are many other appropriate causes to terminate parental**
23 **or guardianship rights, and**
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25 **Whereas, updating the Michigan Compiled Laws relating to grounds for**
26 **termination of parental rights can be effectively done by updating them to**
27 **include violations of:**

- 28 • **Section 750.462g, which prohibits the “use of minor for child sexually**
29 **abusive activity,”**
- 30 • **Section 750.462j, which prohibits “providing or obtaining labor or**
31 **services by force, fraud, or coercion as crime,”**
- 32 • **Section 750.145a, which prohibits “accosting, enticing or soliciting**
33 **child for immoral purpose”**
- 34 • **Section 750.145b, which prohibits prior conviction of “accosting,**
35 **enticing or soliciting child for immoral purpose”**
- 36 • **Section 750.145d, which prohibits the “use of internet or computer**
37 **system” in “committing, attempting to commit, conspiring to commit,**
38 **or soliciting another person to commit” actions with a minor**
39 **described previously as “accosting, enticing or soliciting child for**
40 **immoral purpose”**
- 41 • **Michigan’s criminal sexual exploitation of children (CSEC) laws, and**
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43 **Whereas, Senate Bill 589 proposes to amend MCL 712A.19b by adding**
44 **violations of MCLs 750.145a, 750.145b, 750.145c, 750.145d, 750.462g, and**
45 **750.462j to the list of crimes for which conviction could result in the termination**
46 **of parental rights, and**

47 Whereas, passage of this bill would mean Michigan’s commercial sexual
48 exploitation of children (CSEC) laws will be grounds for termination of parental
49 rights, and

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51 Whereas, House Bill 4583 proposes an amendment to MCL 712A.19b,
52 which states that “the sentencing court, without requiring a separate hearing on
53 termination of parental rights, shall order termination of parental rights and
54 order that additional efforts for reunification of the child with the parent not be
55 made” upon sentencing for criminal sexual conduct or other sex crimes, and

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57 Whereas, upon the passage of both of these bills into law, the
58 recommendations made by the Protected Innocence Challenge to the State of
59 Michigan regarding termination of parental rights and the abandonment of
60 reunification efforts will be met, and

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62 Whereas, convictions under these newly amended laws would establish
63 grounds for termination of parental rights, both for children who are victims of
64 trafficker-parents, as well as children of traffickers; therefore be it

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66 **RESOLVED:** That MSMS aggressively pursue passage of legislation to
67 terminate parental and guardian rights to children who are victims of trafficker
68 parents, or children of traffickers.

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WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE