



**Senate Fiscal Agency**  
**P. O. Box 30036**  
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**BILL ANALYSIS**



**Telephone: (517) 373-5383**  
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Senate Bill 606 (as enrolled)  
 Senate Bill 607 (as enrolled)  
 Senate Bill 608 (as enrolled)  
 Senate Bill 609 (as enrolled)  
 Senate Bill 610 (as enrolled)  
 Senate Bill 611 (as enrolled)  
 Senate Bill 612 (as enrolled)  
 Senate Bills 613 through 623 (as enrolled)  
 Senate Bill 624 (as enrolled)

**PUBLIC ACT 3 of 1996**  
**PUBLIC ACT 6 of 1996**  
**PUBLIC ACT 7 of 1996**  
**PUBLIC ACT 144 of 1996**  
**PUBLIC ACT 4 of 1996**  
**PUBLIC ACT 8 of 1996**  
**PUBLIC ACT 5 of 1996**  
**PUBLIC ACTS 9 through 19 of 1996**  
**PUBLIC ACT 25 of 1996**

Sponsor: Senator Robert Geake (Senate Bills 606 and 607)  
 Senator Loren Bennett (Senate Bill 608)  
 Senator Dale L. Shugars (Senate Bill 609)  
 Senator Dave Honigman (Senate Bills 610 and 611)  
 Senator Mat J. Dunaskiss (Senate Bill 612)  
 Senator Philip E. Hoffman (Senate Bills 613 and 614)  
 Senator William Van Regenmorter (Senate Bill 615)  
 Senator Joe Young, Jr. (Senate Bills 616 and 617)  
 Senator Don Koivisto (Senate Bills 618 and 619)  
 Senator George Z. Hart (Senate Bills 620-622)  
 Senator Jim Berryman (Senate Bills 623 and 624)

Senate Committee: Families, Mental Health and Human Services  
 House Committee: Human Services

Date Completed: 3-26-96

### **RATIONALE**

A number of Michigan statutes currently use the term "visitation" to refer to the time noncustodial parents spend with their children. Many people believe that this word does not accurately describe the relationship between these parents and their children, since the role of a noncustodial parent remains that of a parent, not a visitor. It has been suggested that State law should refer to "parenting time", rather than "visitation".

### **CONTENT**

**The bills amend various acts to replace references to "visitation" with references to "parenting time". Senate Bill 609 also makes additional changes to the Friend of the Court Act regarding enforcement action when a parent fails to obtain or maintain health care coverage for his or her child.** Senate Bills 606 through 623 were tie-barred to Senate Bill 624. All of the bills will take effect June 1, 1996.

### **Senate Bills 606-608 and 610-624**

Senate Bill 606 amends the Office of Child Support Act. Senate Bill 607 amends the Public Health Code. Senate Bill 608 amends the Circuit Court Family Counseling Services Act. Senate Bill 610 amends the Revised Uniform Reciprocal Enforcement of Support Act. Senate Bill 611 amends the Revised Probate Code.

Senate Bills 612 and 613 amend the Family Support Act and the divorce Act, respectively; the bills also change references to "health care organization" to "nonprofit health care corporation". Senate Bill 614 amends the Revised Judicature Act. Senate Bill 615 amends the Interstate Income Withholding Act. Senate Bill 616 amends the Social Welfare Act. Senate Bill 617 amends the Lottery Act. Senate Bill 618 amends the Michigan Penal Code. The bill also changes references to "person" to "parent". Senate Bill 619 amends the Code of Criminal Procedure.

Senate Bill 620 amends the Michigan Adoption Code and the juvenile code. The bill also changes references to “grandparent visitation” to “grandparenting time”. Senate Bills 621 and 622 amend the emancipation of minors Act and the Paternity Act, respectively; the bills also change references to “health care organization” to “nonprofit health care corporation”. Senate Bill 623 amends the Child Custody Act. The bill also changes references to “grandchild visitation” to “grandparenting time”.

Senate Bill 624 amends the Support and Visitation Enforcement Act, which the bill renames the “Support and Parenting Time Enforcement Act”.

### **Senate Bill 609**

The Friend of the Court (FOC) Act currently requires the FOC office to initiate and carry out proceedings to enforce all orders entered in a domestic relations matter regarding custody, visitation, and support. The bill refers to orders entered in a domestic relations matter regarding custody, parenting time, health care coverage, and support.

The Friend of the Court Act requires the FOC office to initiate enforcement under the Support and Visitation Enforcement Act when a fixed amount of arrearage is reached, as specified in the FOC Act. The bill also requires the FOC office to initiate enforcement action when a parent fails to obtain or maintain health care coverage for his or her child as ordered by the court. The office must initiate enforcement action at the following times:

- Within 60 days after the entry of a support order containing health care coverage provisions.
- When a review is conducted as provided in Section 17 of the Act (which requires the office to conduct periodic reviews of child support orders under certain circumstances).
- Concurrently with enforcement initiated by the office under this provision.
- Upon receipt of a written complaint from a party.
- Upon receipt of a written complaint from the Department of Social Services if the child for whose benefit health care is ordered is a recipient of public assistance or medical assistance.

MCL 400.233a (S.B. 606)  
333.21532 (S.B. 607)

551.338 & 551.339 (S.B. 608)  
552.501 et al. (S. B. 609)  
780.166 & 780.182 (S.B. 610)  
700.111 et al. (S.B. 611)  
552.452 & 552.455 (S.B. 612)  
552.15 et al. (S.B. 613)  
600.652 et al. (S.B. 614)  
552.673 et al. (S.B. 615)  
400.18a (S.B. 616)  
432.32 (S.B. 617)  
750.350a (S.B. 618)  
764.15b & 764.15c (S.B. 619)  
710.60 et al. (S.B. 620)  
722.3 (S.B. 621)  
722.714a et al. (S.B. 622)  
722.24 et al. (S.B. 623)  
552.601 et al. (S.B. 624)

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

Describing the time a child spends with his or her parent as “visitation” is inaccurate as well as offensive to many noncustodial parents. Society has long recognized the significance of language and its ability to influence behavior. Changing the term to “parenting time” acknowledges the importance of a child’s relationship with his or her noncustodial parent and the role the parent plays in the child’s life. The term “visitation”, in contrast, demeans that relationship. Noncustodial parents are encouraged to view the time spent with their children as unimportant, and are tempted to engage primarily in recreational activities. At the same time, custodial parents are encouraged to disregard the significance of children’s time with their noncustodial parent, and to believe wrongfully that refusing to allow a child to interact with the other parent will not harm the child’s development. It is important to recognize that language can and does have a long-term impact on attitude and behavior. Referring to “parenting time”, instead of “visitation”, will reinforce the continuing parental role of noncustodial parents, and help guide the thinking of those involved with the child support system and of the general public.

#### **Supporting Argument**

The provisions in Senate Bill 609 concerning the enforcement of orders for health care coverage are consistent with amendments to the Support and Visitation Enforcement Act made by Public Act 236 of 1995. That Act was part of a package of

legislation providing for access to health care coverage for children. Public Act 236, among other things, requires the Friend of the Court to initiate enforcement action when a parent fails to obtain or maintain dependent health care coverage as ordered by the court.

Legislative Analyst: S. Margules

**FISCAL IMPACT**

The bills will have no fiscal impact on State or local government.

Fiscal Analyst: M. Bain  
C. Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.