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SFA**BILL ANALYSIS**

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Senate Bill 503 (as introduced 5-14-97)
Sponsor: Senator Jon Cisky
Committee: Families, Mental Health and Human Services

Date Completed: 5-15-97

CONTENT

The bill would amend the Child Protection Law (CPL) to require that the Family Independence Agency (FIA), county child protection officials, prosecuting attorneys, and local law enforcement officials adopt and implement standard child abuse and neglect investigation and interview protocol, using as a model the protocol developed by the Governor's Task Force on Children's Justice. Also, the CPL requires that, in each county, the prosecuting attorney and the FIA "develop and establish procedures" for involving law enforcement officials in a child abuse and neglect investigation. The bill provides, instead, that in each county, the prosecuting attorney and the FIA would have to adopt and implement the protocol developed by the Governor's Task Force on Children's Justice for involving law enforcement officials in an investigation.

In addition, the CPL requires schools and other institutions to cooperate with the FIA during an investigation of a report of child abuse or neglect, and specifies that cooperation includes allowing access to the child without parental consent "if access is necessary to complete the investigation or to prevent abuse or neglect of the child". The bill specifies that the question of whether access to the child without parental consent was necessary to complete the investigation or prevent abuse or neglect would be determined by the FIA.

MCL 722.628

Legislative Analyst: P. Affholter

FISCAL IMPACT

State Government

The bill could have an indeterminate fiscal impact on State government. The Family Independence Agency developed, established, and implemented at the local level the model several years ago and currently encourages the other agencies to adopt and implement the protocol at the local level. However, the FIA could incur the cost of increased complaint investigations. In FY 1994-95, the number of child abuse and neglect complaints was 124,000. Complaints investigated totaled 57,914, and 12,194 were substantiated.

Local Government

The bill would have an indeterminate impact on local government. Certain activities would be required of local government agencies and therefore possibly result in an increase in local expenditures. There could be more cases reported to FIA children's protective services workers and local law enforcement agencies. This would increase local law enforcement and prosecutors' staff time, as well as the medical examinations or hospital admissions at county and city facilities that

would be required upon suspicion or identification of the occurrence of abuse. Local agencies would be under a State mandate to provide services and possibly bear the increased costs.

Fiscal Analyst: 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.