

HOUSE BILL No. 6440

September 7, 2006, Introduced by Rep. David Law and referred to the Committee on Family and Children Services.

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to establish the children's ombudsman office; ~~and~~ to prescribe the powers and duties of the children's ombudsman, certain state departments and officers, ~~and~~ certain county and private agencies serving children, **CERTAIN OTHER PERSONS AND AGENCIES, AND THE LEGISLATIVE COUNCIL**; and to provide remedies from certain administrative acts.

Sec. 3. (1) As a means of effecting changes in policy,

1 procedure, and legislation, educating the public, investigating and
2 reviewing actions of the department, child placing agencies, or
3 child caring institutions, monitoring and ensuring compliance with
4 relevant statutes, rules, and policies pertaining to children's
5 protective services and the placement, supervision, treatment, and
6 improving delivery of care of children in foster care and adoptive
7 homes, the children's ombudsman is established as an autonomous
8 entity in the department of management and budget. **EFFECTIVE**
9 **OCTOBER 1, 2007, THE OFFICE OF THE CHILDREN'S OMBUDSMAN IS**
10 **TRANSFERRED TO THE LEGISLATIVE COUNCIL AS AN AUTONOMOUS ENTITY.**

11 (2) The governor shall appoint an individual as the ombudsman,
12 with the advice and consent of the senate. The individual shall be
13 qualified by training and experience to perform the duties and
14 exercise the powers of the children's ombudsman and the children's
15 ombudsman office as provided in this act.

16 (3) The governor may remove the children's ombudsman from
17 office for cause that includes, but is not limited to, incompetency
18 to properly exercise duties, official misconduct, habitual or
19 willful neglect of duty, or other misfeasance or malfeasance in
20 connection with the operation of the office of the children's
21 ombudsman. The governor shall report the reason for the removal to
22 the legislature.

23 (4) The children's ombudsman serving in office on ~~the~~
24 ~~effective date of the amendatory act that added this subsection~~
25 **JANUARY 3, 2005** shall serve at the pleasure of the governor.