

# SENATE BILL NO. 941

May 21, 2020, Introduced by Senator RUNESTAD and referred to the Committee on Families, Seniors, and Veterans.

A bill to amend 1970 PA 91, entitled  
"Child custody act of 1970,"  
(MCL 722.21 to 722.31) by adding sections 5a and 7d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 5a. (1) A custody order in place under this act remains**  
2 **in effect during a state of emergency or state of disaster declared**  
3 **by the governor.**

4           **(2) A temporary custody agreement may be made by both parties**  
5 **in the best interests of the child to reflect a temporary change in**

1 circumstances due to a state of emergency or state of disaster  
2 declared by the governor.

3       Sec. 7d. (1) A parenting time order or parenting time  
4 agreement in place under this act remains in effect during a state  
5 of emergency or state of disaster declared by the governor unless  
6 both parties to the parenting time order or parenting time  
7 agreement agree to a temporary change for the duration of the state  
8 of emergency or state of disaster declared by the governor.

9       (2) A temporary parenting time agreement may be made by both  
10 parties in the best interests of the child to reflect a temporary  
11 change in circumstances due to a state of emergency or state of  
12 disaster declared by the governor.

13       (3) A parent or guardian may continue to exercise his or her  
14 parenting time during a state of emergency or state of disaster  
15 declared by the governor unless, in the best interests of the  
16 child, there is a change in parenting time agreed to by both  
17 parties.

18       (4) Continuing to work during a state of emergency or state of  
19 disaster declared by the governor is not a change in circumstances  
20 that warrants a future change in a parenting time order.

21       (5) Both parties must agree to allow changes in parenting time  
22 that allow both parties to continue working to the extent possible  
23 during the state of emergency or state of disaster declared by the  
24 governor. A party must be permitted to work as needed and may  
25 designate an individual in his or her family to exercise his or her  
26 parenting time.

27       (6) Failing to reach an agreement for modified parenting time  
28 during a state of emergency or state of disaster declared by the  
29 governor is not a change in circumstances that results in a

1 permanent change in parenting time.

2           (7) A temporary agreement by both parties to a change in  
3 parenting time due to circumstances related to a state of emergency  
4 or state of disaster declared by the governor is not a change in  
5 circumstances that warrants a future change in parenting time.