

HOUSE BILL No. 6013

June 9, 2004, Introduced by Rep. Lipsey and referred to the Committee on Judiciary.

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 4a, 7b, and 10 (MCL 722.714a, 722.717b, and 722.720), section 4a as amended by 1998 PA 113, section 7b as amended by 1996 PA 308, and section 10 as amended by 2001 PA 109.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4a. (1) The summons or other initial notice to a party
2 in an action under this act shall contain notification that the
3 party's obligation to support the child will be determined and
4 that the party's rights to ~~custody of and~~ parenting time with
5 the child may be determined during the paternity action.

6 (2) The family independence agency or its designee that
7 requires a party to appear for genetic paternity testing as
8 provided in section 4, or the party requesting genetic paternity

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1 testing if a court orders genetic paternity testing for an
2 individual as provided in section 4, shall serve notice of the
3 testing on the mother and the alleged father. The notice shall
4 include explanations of all of the following:

5 (a) The test to be performed.

6 (b) The purpose and potential uses of the test.

7 (c) How the test results will be used to establish paternity
8 or nonpaternity as provided in section 6.

9 (d) How the individual will be provided with the test
10 results.

11 (e) The individual's right to keep the test results
12 confidential as provided in section 6a.

13 Sec. 7b. If the court makes a determination of paternity
14 and there is no dispute regarding ~~custody~~ **parenting time**, the
15 court shall include in the order of filiation specific provisions
16 for the ~~custody and~~ parenting time of the child as provided in
17 the child ~~custody act of 1970, Act No. 91 of the Public Acts of~~
18 ~~1970, being sections 722.21 to 722.29 of the Michigan Compiled~~
19 ~~Laws~~ **parenting time act, 1970 PA 91, MCL 722.21 to 722.30**. If
20 there is a dispute between the parties concerning ~~custody or~~
21 parenting time, the court shall immediately enter an order that
22 establishes support and temporarily establishes ~~custody of and~~
23 parenting time with the child. Pending a hearing on or other
24 resolution of the dispute, the court may also refer the matter to
25 the friend of the court for a report and recommendation as
26 provided in section 5 of the friend of the court act, ~~Act~~
27 ~~No. 294 of the Public Acts of 1982, being section 552.505 of the~~

1 ~~Michigan Compiled Laws~~ 1982 PA 294, MCL 552.505. In a dispute
2 regarding ~~custody or~~ parenting time, the prosecuting attorney,
3 an attorney appointed by the county, or an attorney appointed by
4 the court under section 4 shall not be required to represent
5 either party regarding that dispute.

6 Sec. 10. The court has continuing jurisdiction over
7 proceedings brought under this act to increase or decrease the
8 amount fixed by the order of filiation subject to section 7, and
9 to provide for, change, and enforce provisions of the order
10 relating to the ~~custody or~~ support of or parenting time with
11 the child.

12 Enacting section 1. This amendatory act takes effect
13 January 1, 2005.

14 Enacting section 2. This amendatory act does not take
15 effect unless Senate Bill No. _____ or House Bill No. 5949
16 (request no. 03652'03) of the 92nd Legislature is enacted into
17 law.