

## SENATE BILL NO. [ ]

\_\_\_\_\_, 2026, Introduced by Senator \_\_\_\_\_ and referred to the Committee on  
Judiciary and Public Safety.

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 710.70) by adding section 70; and to amend 1978 PA 368, entitled "Public health code," (MCL 333.2801 to 333.2899) by amending section 2831 and adding section 2833, to provide for the posthumous annulment of an adoption; to mandate the amendment of death certificates and vital records in specific circumstances; and to establish standing and jurisdiction for such actions.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

#### Sec. 1. Short Title.

(1) This act shall be known and may be cited as "Alexis's Law."

#### Sec. 2. Legislative Findings and Intent.

(1) The legislature finds that the primary purpose of the Michigan adoption code is to provide a safe, permanent, and nurturing environment for a child.

(2) The legislature finds that when an adoptive parent is convicted of the murder or fatal abuse of their adopted child, the fundamental legal and moral contract of the adoption is irreparably breached.

(3) The legislature declares it is the public policy of this state to prioritize the dignity of victims of fatal child abuse, to prevent convicted murderers from maintaining legal parentage over their victims, and to provide surviving biological or legal relatives a mechanism to restore the victim's original identity.

#### Sec. 3. Definitions. As used in this section:

(a) "Adoptee" means an individual whose legal parentage was established through a finalized decree of adoption under this act, regardless of their age at the time of death.

(b) "Adoptive parent" means an individual who was granted legal parentage of the adoptee through a finalized court decree.

(c) "Qualifying conviction" means a final criminal conviction, or a plea of guilty or nolo contendere, to murder in the first degree, murder in the second degree, voluntary manslaughter, or child abuse in the first degree, where the adoptee is the victim.

(d) "Original identity" means the name of the adoptee as recorded on their original, pre-adoption certificate of live birth.

#### **Sec. 4. Grounds for Posthumous Annulment.**

(1) Notwithstanding any statute of limitations regarding the challenge or appeal of a finalized adoption decree, including the limitations set forth in MCL 710.64, a court of competent jurisdiction shall grant a posthumous annulment of an adoption if it is established by a preponderance of the evidence that an adoptive parent has a qualifying conviction for the death of the adoptee.

#### **Sec. 5. Standing to Petition.**

(1) A petition for a posthumous annulment of adoption under this act may be filed by any of the following:

- (a) A biological parent of the deceased adoptee.
- (b) A biological sibling or grandparent of the deceased adoptee.
- (c) A legal representative of the adoptee's estate.
- (d) The state attorney general or a county prosecuting attorney, acting in the interest of justice.

#### **Sec. 6. Jurisdiction and Venue.**

(1) The probate court or family division of the circuit court that originally granted the adoption decree, or the court in the county where the adoptee's death certificate was issued, shall retain or assume jurisdiction to hear a petition under this act, regardless of the adoptee's age at the time of death.

(2) There shall be no statute of limitations for filing a petition under this act. The statute of limitations is expressly waived in cases involving a qualifying conviction.

#### **Sec. 7. Court Order and Severance of Rights.**

(1) Upon verification of a qualifying conviction, the court shall enter an order of posthumous annulment. The order shall legally establish all of the following:

- (a) The finalized decree of adoption is vacated and declared void *ab initio* with respect to the convicted adoptive parent.
- (b) All legal rights, privileges, and parentage of the convicted adoptive parent regarding the adoptee are fully and permanently severed.

(2) *Exception for Non-Offending Parents:* If the adoptee had a second adoptive parent who was not complicit in the abuse, murder, or concealment of the crime, the court retains the discretion to preserve the legal relationship between the non-offending adoptive parent and the adoptee, provided it does not conflict with the restoration of the adoptee's original identity.

#### **Sec. 8. Restoration of Vital Records.**

(1) To ensure the dignity of the victim in the public record, the order of posthumous annulment shall include a mandate to the department of health and human services state registrar to execute the following within 30 days of the order:

- (a) Issue an amended death certificate for the adoptee. The amended death certificate shall strike the name of the convicted adoptive parent and restore the adoptee's original identity as their legal name at the time of death.
- (b) Unseal the adoptee's original certificate of live birth and link it to the amended death certificate to reflect a continuous, restored legal identity.
- (c) Permanently seal the adoption decree and any records bearing the name given by the convicted adoptive parent.

#### **Sec. 9. Retroactive Application.**

(1) The provisions of this act are remedial and restorative in nature. Therefore, this act applies retroactively to any case in which an adoptive parent received a qualifying conviction prior to the effective date of this act, as well as to any qualifying convictions occurring on or after the effective date.