

# HOUSE BILL No. 4578

April 10, 1989, Introduced by Reps. Terrell, Clack, DeMars, Hunter, Stallworth, Honigman, Bennane, Harrison, Leland, Joe Young, Sr., Kilpatrick, Power, Sikkema, Martin, Bandstra and Jondahl and referred to the Committee on Judiciary.

A bill to amend the title and sections 3a and 10 of Act No. 8 of the Public Acts of 1952, entitled as amended "Revised uniform reciprocal enforcement of support act," section 3a as added and section 10 as amended by Act No. 172 of the Public Acts of 1985, being sections 780.153a and 780.160 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title and sections 3a and 10 of Act No. 8 of  
2 the Public Acts of 1952, section 3a as added and section 10 as  
3 amended by Act No. 172 of the Public Acts of 1985, being sections  
4 780.153a and 780.160 of the Michigan Compiled Laws, are amended  
5 to read as follows:

## TITLE

1  
2 An act relative to the extradition of persons charged with  
3 failure to provide support for dependents and to provide for the  
4 enforcement by ~~circuit courts in chancery~~ THE DOMESTIC RELA-  
5 TIONS COURT of this state of the duty of ~~such~~ THOSE persons to  
6 support their dependents ~~in accordance with~~ PURSUANT TO the  
7 requirements of the laws of other states or any foreign state  
8 having reciprocal legislation, and to grant to ~~such courts~~ THAT  
9 COURT power to enforce ~~such~~ THOSE obligations by procedures  
10 including contempt; ~~and~~ to prescribe the procedure to be fol-  
11 lowed by ~~such courts~~ THAT COURT in case of proceedings to  
12 require enforcement of the duty to support residents of this  
13 state by those obligated to furnish ~~such~~ THAT support through  
14 proceedings in courts of other states or any foreign state having  
15 reciprocal legislation; and to prescribe rules of evidence in  
16 ~~such~~ THOSE proceedings.

17 Sec. 3a. (1) "Court" means the ~~appropriate circuit~~  
18 DOMESTIC RELATIONS court of this state and, when the context  
19 requires, means the appropriate court of any other state as  
20 defined in a substantially similar reciprocal law.

21 (2) "Duty of support" means ~~any~~ A duty of support owed to  
22 an obligee whether imposed or imposable by law or by order,  
23 decree, or judgment of any court, whether temporary or final or  
24 whether incidental to an action for divorce, separation, separate  
25 maintenance, or otherwise and includes the duty to pay arrearages  
26 of support past due and unpaid. "Duty of support" also includes

1 the duty to reimburse a state or political subdivision for  
2 support furnished to an obligee.

3 (3) "Foreign support order" means a support order issued by  
4 a state other than Michigan.

5 (4) "Governor" means any person performing the functions of  
6 governor or the executive authority of any state covered by this  
7 or a substantially reciprocal law.

8 (5) "Initiating court" means the court in which a proceeding  
9 is commenced.

10 (6) "Initiating state" means a state in which a proceeding  
11 pursuant to this or a substantially similar reciprocal law is  
12 commenced.

13 (7) "Law" means both common and statutory law.

14 (8) "Obligee" means a person, including a state or political  
15 subdivision, to whom a duty of support is owed or a person,  
16 including a state or political subdivision, who has commenced a  
17 proceeding for enforcement of an alleged duty of support or for  
18 registration of a support order. It is immaterial if the person  
19 to whom a duty of support is owed is a recipient of public  
20 assistance.

21 (9) "Obligor" means any person owing a duty of support or  
22 against whom a proceeding for the enforcement of a duty of sup-  
23 port or registration of a support order is commenced.

24 (10) "Office of the friend of the court" means the agency  
25 created in section 3 of THE FRIEND OF THE COURT ACT, Act No. 294  
26 of the Public Acts of 1982, being section 552.503 of the Michigan  
27 Compiled Laws.

1       Sec. 10. (1) Jurisdiction of any proceeding in this state  
2 under this act is vested in the ~~circuit~~ DOMESTIC RELATIONS  
3 court.

4       (2) The proper venue if this state is acting as an initiat-  
5 ing state is in the county in which the petitioner resides or in  
6 which a valid prior and existing support order has been issued.  
7 The proper venue if this state is acting as a responding state  
8 and a valid support order has been issued in this state is in the  
9 county in which the support order was issued. The proper venue  
10 if this state is acting as a responding state and a valid support  
11 order has not been issued in this state is in the county in which  
12 the obligor resides or is found.

13       Section 2. This amendatory act shall take effect January 1,  
14 1990.

15       Section 3. This amendatory act shall not take effect unless  
16 Senate Bill No. \_\_\_\_\_ or House Bill No. 4567 (request  
17 no. 01659'89) of the 85th Legislature is enacted into law.