

HOUSE BILL No. 5128

October 2, 1989, Introduced by Rep. Nye and referred to the Committee on Judiciary.

A bill to amend section 16 of chapter 84 of the Revised Statutes of 1846, entitled
"Of divorce,"

as amended by Act No. 214 of the Public Acts of 1985, being section 552.16 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 16 of chapter 84 of the Revised Statutes
2 of 1846, as amended by Act No. 214 of the Public Acts of 1985,
3 being section 552.16 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 16. (1) Upon annulling a marriage or entering a judg-
6 ment of divorce or separate maintenance, the court may enter such
7 orders as it considers just and proper concerning the care,
8 custody, and support of the minor children of the parties. The
9 court may require either parent to file a bond with 1 or more

1 sufficient sureties, in a sum to be fixed by the court,
2 guaranteeing payment of the support ordered in the judgment. For
3 the purposes of this section, "support" may include payment of
4 the expenses of medical, dental, and other health care, child
5 care expenses, and educational expenses. The judgment shall
6 require that 1 or both parents shall obtain or maintain any
7 health care coverage that is available to them at a reasonable
8 cost, as a benefit of employment, for the benefit of the minor
9 children of the parties. If a parent is self-employed and main-
10 tains health care coverage, the court shall require the parent to
11 obtain or maintain dependent coverage for the benefit of the
12 minor children of the parties, if available at a reasonable
13 cost.

14 (2) IF THE AMOUNT OF SUPPORT ORDERED BY THE COURT IS DIFFER-
15 ENT THAN THE AMOUNT OF SUPPORT DETERMINED BY USING THE CHILD SUP-
16 PORT FORMULA DEVELOPED BY THE FRIEND OF THE COURT UNDER
17 SECTION 19 OF THE FRIEND OF THE COURT ACT, ACT NO. 294 OF THE
18 PUBLIC ACTS OF 1982, BEING SECTION 552.519 OF THE MICHIGAN
19 COMPILED LAWS, THE COURT SHALL SET FORTH A WRITTEN FINDING OR
20 SPECIFIC FINDING ON THE RECORD THAT THE APPLICATION OF THE CHILD
21 SUPPORT FORMULA WOULD BE UNJUST OR FINANCIALLY INAPPROPRIATE.

22 (3) ~~-(2)-~~ Orders concerning the support of children of the
23 parties shall be enforceable as provided in the support and visi-
24 tation enforcement act, Act No. 295 of the Public Acts of 1982,
25 being sections 552.601 to 552.650 of the Michigan Compiled Laws.

26 (4) ~~-(3)-~~ The court, in the judgment or after entry of the
27 judgment, may waive jurisdiction of any minor children under the

1 age of 17 years to the probate court to be governed by the laws
2 of this state with respect to dependent and neglected children
3 under the age of 17 years.

4 Section 2. This amendatory act shall not take effect unless
5 Senate Bill No. _____ or House Bill No. 5127 (request
6 no. 02700'89) of the 85th Legislature is enacted into law.