

HOUSE BILL No. 6020

September 13, 1990, Introduced by Reps. Gubow, Ciaramitaro, Stabenow, Berman, Kosteva, Trim and Fitzgerald and referred to the Committee on Judiciary.

A bill to amend section 2 of Act No. 295 of the Public Acts of 1982, entitled as amended

"Support and visitation enforcement act,"

as amended by Act No. 210 of the Public Acts of 1985, being section 552.602 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 295 of the Public Acts of
2 1982, as amended by Act No. 210 of the Public Acts of 1985, being
3 section 552.602 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 2. As used in this act:

6 (A) "COURT" MEANS THE CIRCUIT COURT.

7 (B) ~~(a)~~ "Employer" means any individual, sole
8 proprietorship, partnership, association, or private or public
9 corporation, the United States or any federal agency, this state

1 or any political subdivision of this state, any other state or a
2 political subdivision of another state, or any other legal entity
3 which hires and pays an individual for his or her services.

4 (C) ~~(b)~~ "Friend of the court act" means Act No. 294 of the
5 Public Acts of 1982, being sections 552.501 to 552.535 of the
6 Michigan Compiled Laws.

7 (D) ~~(c)~~ "Income" means any of the following:

8 (i) Commissions, earnings, salaries, wages, and other income
9 due or to be due in the future from his or her employer and suc-
10 cessor employers.

11 (ii) Any payment due or to be due in the future from a
12 profit-sharing plan, pension plan, insurance contract, annuity,
13 social security, unemployment compensation, supplemental unem-
14 ployment benefits, and worker's compensation.

15 (iii) Any amount of money which is due to the payer under a
16 support order as a debt of any other individual, partnership,
17 association, or private or public corporation, the United States
18 or any federal agency, this state or any political subdivision of
19 this state, any other state or a political subdivision of another
20 state, or any other legal entity which is indebted to the payer.

21 (E) ~~(d)~~ "Office of child support" means the office of
22 child support established in section 2 of Act No. 174 of the
23 Public Acts of 1971, being section 400.232 of the Michigan
24 Compiled Laws.

25 (F) ~~(e)~~ "Office of the friend of the court" means the
26 agency created in section 3 of the friend of the court act, being
27 section 552.503 of the Michigan Compiled Laws.

1 (G) ~~(f)~~ "Order of income withholding" means an order
2 entered by the circuit court providing for the withholding of a
3 payer's income to enforce a support order pursuant to this act.

4 (H) ~~(g)~~ "Payer" means a person who is ordered by the cir-
5 cuit court OR THE PROBATE COURT to pay support.

6 (I) ~~(h)~~ "Political subdivision" means a county, city, vil-
7 lage, township, educational institution, school district, or spe-
8 cial district or authority of the state or of a local unit of
9 government.

10 (J) ~~(i)~~ "Recipient of support" means the following:

11 (i) The spouse, if the support order orders support for the
12 spouse.

13 (ii) The custodial parent or guardian, if the support order
14 orders support for a minor child.

15 (iii) The state department of social services, if support
16 has been assigned to the department.

17 (K) ~~(j)~~ "Referee" means a person who is designated as a
18 referee pursuant to the friend of the court act.

19 (L) ~~(k)~~ "Source of income" means an employer or successor
20 employer or any other individual or entity that owes or will owe
21 income to the payer.

22 (M) ~~(l)~~ "Support" means either of the following:

23 (i) The payment of money for a child or a spouse ordered by
24 the circuit court OR THE PAYMENT OF MONEY FOR A CHILD ORDERED BY
25 THE PROBATE COURT WHEN ACTING PURSUANT TO SECTION 402 OF THE
26 REVISED PROBATE CODE, ACT NO. 642 OF THE PUBLIC ACTS OF 1978,
27 BEING SECTION 700.402 OF THE MICHIGAN COMPILED LAWS, whether the

1 order is embodied in an interim, temporary, permanent, or
2 modified order or judgment. Support may include payment of the
3 expenses of medical, dental, and other health care, child care
4 expenses, and educational expenses.

5 (ii) The payment of money ordered by the circuit court under
6 the paternity act, Act No. 205 of the Public Acts of 1956, being
7 sections 722.711 to 722.730 of the Michigan Compiled Laws, for
8 the necessary expenses incurred by or for the mother in connec-
9 tion with her confinement or of other expenses in connection with
10 the pregnancy of the mother.

11 (N) ~~(m)~~ "Support order" means any order entered by the
12 circuit court OR BY THE PROBATE COURT WHEN ACTING PURSUANT TO
13 SECTION 402 OF THE REVISED PROBATE CODE, ACT NO. 642 OF THE
14 PUBLIC ACTS OF 1978, BEING SECTION 700.402 OF THE MICHIGAN
15 COMPILED LAWS, for the payment of support, whether or not a sum
16 certain.

17 Section 2. This amendatory act shall not take effect unless
18 all of the following bills of the 85th Legislature are enacted
19 into law:

20 (a) Senate Bill No. 1039.

21 (b) Senate Bill No. ____ or House Bill No. ____ (request
22 no. 06023'90).