

HOUSE BILL No. 5271

November 8, 1989, Introduced by Reps. Nye, Stabenow, Emmons, Walberg, Bandstra, Strand, Fitzgerald, Willis Bullard, Dolan, Jaye, Crandall, Brown, Perry Bullard, DeMars, Martin, Gubow and Scott and referred to the Committee on Judiciary.

A bill to amend section 14 of Act No. 8 of the Public Acts of 1952, entitled as amended

"Revised uniform reciprocal enforcement of support act," as amended by Act No. 172 of the Public Acts of 1985, being section 780.164 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14 of Act No. 8 of the Public Acts of
2 1952, as amended by Act No. 172 of the Public Acts of 1985, being
3 section 780.164 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 14. (1) If the court of this state when acting as a
6 responding court finds a duty of support, it may order the obli-
7 gor to furnish support and subject the property of the obligor to
8 the order. The support order shall require that payments be made
9 to the office of the friend of the court.

1 (2) THE COURT SHALL ORDER SUPPORT IN AN AMOUNT DETERMINED BY
 2 APPLICATION OF THE CHILD SUPPORT FORMULA DEVELOPED BY THE STATE
 3 FRIEND OF THE COURT BUREAU, EXCEPT THAT THE COURT MAY ENTER AN
 4 ORDER THAT DEVIATES FROM THE FORMULA UNDER EITHER OF THE FOLLOW-
 5 ING CIRCUMSTANCES:

6 (A) IF THE COURT DETERMINES FROM THE FACTS OF THE CASE THAT
 7 APPLICATION OF THE CHILD SUPPORT FORMULA WOULD BE UNJUST OR INAP-
 8 PROPRIATE AND SETS FORTH IN WRITING OR ON THE RECORD ALL OF THE
 9 FOLLOWING:

10 (i) THE SUPPORT AMOUNT DETERMINED BY APPLICATION OF THE
 11 CHILD SUPPORT FORMULA.

12 (ii) HOW THE SUPPORT ORDER DEVIATES FROM THE CHILD SUPPORT
 13 FORMULA.

14 (iii) THE VALUE OF PROPERTY OR OTHER SUPPORT AWARDED IN LIEU
 15 OF THE PAYMENT OF CHILD SUPPORT, IF APPLICABLE.

16 (iv) THE COURT'S REASONS FOR ITS DETERMINATION.

17 (B) IF THE PARTIES AGREE TO A DIFFERENT AMOUNT, PROVIDED
 18 THAT THE PARTY RECEIVING CHILD SUPPORT IS NOT A RECIPIENT OF
 19 PUBLIC ASSISTANCE.

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

23 (a) Senate Bill No. ____ or House Bill No. 5265 (request
 24 no. 01603'89 *).

25 (b) Senate Bill No. ____ or House Bill No. 5266 (request
 26 no. 01603'89 a *).

1 (c) Senate Bill No. ____ or House Bill No. 5267 (request
2 no. 01603'89 b *).

3 (d) Senate Bill No. ____ or House Bill No. 5268 (request
4 no. 01603'89 c *).

5 (e) Senate Bill No. ____ or House Bill No. 5269 (request
6 no. 01603'89 d *).

7 (f) Senate Bill No. ____ or House Bill No. 5270 (request
8 no. 01603'89 e *).