



SENATE BILL No. 589

June 15, 1995, Introduced by Senators EMMONS, GEAKE, GOUGEON, HOFFMAN, SHUGARS, BYRUM, DUNASKISS and MCMANUS and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend section 5809 of Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," being section 600.5809 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5809 of Act No. 236 of the Public Acts
2 of 1961, being section 600.5809 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 5809. (1) A person shall not bring or maintain an
5 action to enforce A noncontractual money ~~obligations~~ OBLIGATION
6 unless, after the claim first accrued to ~~himself~~ THE PERSON or
7 to someone through whom he OR SHE claims, ~~he~~ THE PERSON com-
8 mences the action within the ~~periods~~ APPLICABLE PERIOD of time
9 prescribed by this section.

1 (2) The period of limitations is 2 years for ~~actions~~ AN
2 ACTION for the recovery of a penalty or forfeiture based on a
3 penal statute brought in the name of the people of this state.

4 (3) Except as provided in subsection (4), the period of lim-
5 itations is 10 years for ~~actions~~ AN ACTION founded upon
6 ~~judgments or decrees~~ A JUDGMENT OR DECREE rendered in a court
7 of record of this state, or in a court of record of the United
8 States or of another state of the United States, from the time of
9 the rendition of the judgment OR DECREE. The period of limita-
10 tions is 6 years for ~~actions~~ AN ACTION founded upon ~~judgments~~
11 ~~or decrees~~ A JUDGMENT OR DECREE rendered in a court not of
12 record of this state, or of another state, from the time of the
13 rendition of the judgment OR DECREE. A judgment entered in the
14 district court of this state before May 25, 1973, is a judgment
15 of a court not of record. A judgment entered in the district
16 court of this state on or after May 25, 1973, except a judgment
17 entered in the small claims division of the district court, is a
18 judgment of a court of record. Within ~~these periods~~ THE APPLI-
19 CABLE PERIOD OF LIMITATIONS PRESCRIBED BY THIS SUBSECTION, an
20 action may be brought upon the judgment OR DECREE for a new judg-
21 ment ~~, which, in its turn, will be~~ OR DECREE. THE NEW JUDGMENT
22 OR DECREE IS subject to this subsection.

23 (4) FOR AN ACTION TO ENFORCE A SUPPORT ORDER UNDER THE SUP-
24 PORT AND VISITATION ENFORCEMENT ACT, ACT NO. 295 OF THE PUBLIC
25 ACTS OF 1982, BEING SECTIONS 552.601 TO 552.650 OF THE MICHIGAN
26 COMPILED LAWS, OR OTHER LAW, THE PERIOD OF LIMITATIONS IS 10

1 YEARS FROM THE TIME EACH INDIVIDUAL SUPPORT PAYMENT BECOMES DUE
2 UNDER THE SUPPORT ORDER.