

# HOUSE BILL No. 5780

April 23, 1998, Introduced by Reps. Sanborn, Gernaat, Horton, Cropsey, Green, Raczkowski, Jansen, Dalman, Walberg, Lowe, Goschka, Law, McBryde, Kukuk, McManus, Baade, Llewellyn, Gustafson, Kaza, Voorhees and Perricone and referred to the Committee on Human Services and Children.

A bill to amend 1982 PA 295, entitled  
"Support and parenting time enforcement act,"  
by amending section 25 (MCL 552.625), as added by 1985 PA 210.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 25. In addition to providing remedies or imposing pen-  
2 alties otherwise available under this act or other law for the  
3 enforcement of support orders, the court ~~, upon~~ MAY DO 1 OR  
4 MORE OF THE FOLLOWING:  
5       (A) UPON petition by the office of the friend of the court  
6 or recipient of support and after notice to the payer and an  
7 opportunity for a hearing, ~~may do 1 or both of the following:~~  
8 ~~(a) Impose~~ IMPOSE a lien for the amount of any support that is  
9 past due upon ~~such of~~ the PAYER'S individually owned real or  
10 personal property, or both, ~~of the payer~~ as the court directs.  
11 A judgment imposing a lien on THE PAYER'S real property ~~of the~~

1 ~~payer shall be~~ IS effective upon the filing and recording of a  
2 certified copy of the judgment in the office of the register of  
3 deeds of the county in which the real property is located. Upon  
4 default in the payment of support referred to in the judgment,  
5 the court may order the sale of real property subject to the lien  
6 in the manner provided by law for the foreclosure of mortgage  
7 liens; order execution of the judgment; appoint a receiver of the  
8 real and personal property subject to the lien and order the  
9 property and its income to be applied to the amount of the judg-  
10 ment; or take any other appropriate action to enforce the  
11 judgment.

12 (b) ~~Require~~ UPON PETITION BY THE OFFICE OF THE FRIEND OF  
13 THE COURT OR RECIPIENT OF SUPPORT AND AFTER NOTICE TO THE PAYER  
14 AND AN OPPORTUNITY FOR A HEARING, REQUIRE a payer to provide suf-  
15 ficient bond, security, or other guarantee to secure the payment  
16 of support that is past due — or due in the future, or both.  
17 Upon default in the payment of an amount secured by the bond, the  
18 court, after notice to the payer and sureties, if any, and an  
19 opportunity for a hearing, may render judgment against the payer  
20 and sureties for the amount of unpaid support. Upon default in  
21 the payment of the amount awarded in the judgment, the court may  
22 order execution of the judgment; appoint a receiver of the real  
23 and personal property of the payer and order the property and its  
24 income to be applied to the amount of the judgment; or take any  
25 other appropriate action to enforce the judgment.

26 (C) UPON PETITION BY THE FAMILY INDEPENDENCE AGENCY, OFFICE  
27 OF THE FRIEND OF THE COURT, OR RECIPIENT OF SUPPORT AND AFTER

1 NOTICE TO THE PAYER'S PARENT AND AN OPPORTUNITY FOR A HEARING,  
2 THE COURT MAY ORDER A PAYER'S PARENT TO PAY THE PAYER'S ARREARAGE  
3 OR ONGOING CHILD SUPPORT OBLIGATION. THE COURT SHALL NOT UTILIZE  
4 THIS SUBDIVISION UNLESS THE PARENTS OF THE CHILD WHO IS THE BASIS  
5 OF THE CHILD SUPPORT ARE BOTH MINORS AND THE CHILD'S CUSTODIAL  
6 PARENT OR THE CHILD IS RECEIVING FINANCIAL ASSISTANCE UNDER TITLE  
7 IV OF THE SOCIAL SECURITY ACT, CHAPTER 531, 49 STAT. 620, 42  
8 U.S.C. 601 TO 603, 604 TO 608, 609 TO 619, 620 TO 629e, 651 TO  
9 660, 663 TO 669b, 670 TO 673, 673b, 674 TO 679, 679b, AND 681 TO  
10 687.