

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bills 682, 683, and 684 (as enrolled)  
Sponsor: Senator Bev Hammerstrom  
Committee: Families, Mental Health and Human Services

Date Completed: 10-16-01

### **RATIONALE**

For purposes of streamlining the child support enforcement system and for legislative efficiency, the procedures for determining and enforcing court-ordered child support payments and the provision of health care coverage in relation to child support orders recently were consolidated into one statute. Before the passage of Public Acts 106 through 111 of 2001, several Michigan statutes specified the procedures that had to be followed with respect to these issues. After the enactment of that legislation, it was discovered that the divorce Act, the Family Support Act, and the Child Custody Act each refers to a provision within that Act that previously allowed a court to order support for a high school student between the ages of 18 and 19 and a half. Those provisions of the divorce Act, the Family Support Act, and the Child Custody Act were repealed by Public Acts 107, 111, and 108 of 2001, respectively. Public Act 106 of 2001 re-enacted that authorization for support orders beyond a child's 18th birthday in the Support and Parenting Time Enforcement Act. It has been suggested that the divorce Act, the Family Support Act, and the Child Custody Act should refer, then, to the applicable provision in the Support and Parenting Time Enforcement Act, rather than to the repealed provisions of the other statutes.

### **CONTENT**

**Senate Bills 682, 683, and 684 would amend the divorce Act, the Family Support Act, and the Child Custody Act, respectively, to change statutory citations to sections governing child support that a court may order after a child reaches 18 years of age.**

Currently, each of those Acts refers to a provision within the Act that previously allowed a court to order support for a child beyond his or her 18th birthday, up to the age of 19 years and six months, for the time the child was regularly attending high school, on a full-time basis with a reasonable expectation of completing sufficient credits to graduate, while residing on a full-time basis with the support recipient or at an institution. Those provisions recently were repealed from the Acts and the authorization was re-enacted in the Support and Parenting Time Enforcement Act. The bills would refer to the provision in that Act rather than the now-repealed sections of the divorce Act, the Family Support Act, and the Child Custody Act.

Senate Bill 683 also would delete a provision in the Family Support Act that requires each support order modified by the court to require that each party to the order keep the Friend of the Court informed of the name and address of his or her current source of income and any health care coverage that is available to him or her as a benefit of employment or that is maintained by the individual. (That provision also was incorporated into the Support and Parenting Time Enforcement Act by Public Act 106.)

MCL 552.17a (S.B. 682)  
552.451 et al. (S.B. 683)  
722.22 (S.B. 684)

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bills are necessary to ensure that the divorce Act, the Family Support Act, and the Child Custody Act contained the proper statutory citations for authorization of child support orders beyond a child's 18th birthday. Under the bills, each of those acts would refer to the child support procedures consolidated in the Support and Parenting Time Enforcement Act by Public Act 106, rather than sections of law that were repealed by Public Acts 107, 111, and 108. In addition to updating the statutes, the bills would prevent confusion among family law practitioners.

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

A0102\s682a

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.