

# SENATE BILL No. 485

May 14, 2003, Introduced by Senator GARCIA and referred to the Committee on Families and Human Services.

A bill to amend 1982 PA 295, entitled  
"Support and parenting time enforcement act,"  
by amending section 3a (MCL 552.603a), as amended by 2002 PA  
572.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3a. (1) For a friend of the court case, as of January  
2 1 and July 1 of each year, a surcharge ~~calculated at an 8%~~  
3 ~~annual rate~~ shall be added to support payments that are past due  
4 as of those dates. **The surcharge shall be calculated at a rate**  
5 **equal to the adjusted prime rate determined by the department of**  
6 **treasury under section 23 of 1941 PA 122, MCL 205.23, at the time**  
7 **the surcharge is calculated.** The amount shown as due and owing on  
8 the records of the friend of the court as of January 1 and July 1  
9 of each year shall be reduced by an amount equal to 1 month's  
10 support for purposes of assessing the surcharge. A surcharge

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Senate Bill No. 485 as amended June 11, 2003

1 under this subsection shall not be added to support ordered under  
2 the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the  
3 time period to the date of the support order.

4 (2) Upon receiving money for payment of support, the friend  
5 of the court shall apply the amount received first to current  
6 support and then to ~~any~~ **the** support arrearage including ~~any~~  
7 surcharges imposed under this section.

<<Enacting section 1. This amendatory act takes effect January 15,  
2004.>>