

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

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.