

# Legislative Analysis



## CONSOLIDATION OF CHILD SUPPORT FUNCTIONS

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**House Bill 5466 (Substitute H-1)**  
**Sponsor: Rep. Robert L. Kosowski**

**House Bill 5469 (Substitute H-1)**  
**Sponsor: Rep. Kenneth Kurtz**

**House Bill 5467 (Substitute H-1)**  
**Sponsor: Rep. Thomas B. Hooker**

**House Bill 5470 (Substitute H-1)**  
**Sponsor: Rep. Klint Kesto**

**House Bill 5468 (Substitute H-1)**  
**Sponsor: Rep Roger Victory**

**House Bill 5471 (Substitute H-1)**  
**Sponsor: Rep. Rick Outman**

**Committee: Families, Children, and Seniors**  
**Complete to 6-10-14**

*(Enacted as Public Acts 367-372  
of 2014)*

## A SUMMARY OF HOUSE BILLS 5466-5471 AS REPORTED FORM COMMITTEE

Each of the bills in this package of bills would put the same language into a different act; each act deals with child support. The provision being added would allow the prosecuting attorney and the Department of Human Services to enter into an agreement to transfer the prosecutor's responsibilities under the act to one of the following:

- The Friend of the Court, with approval of the Chief Judge of the Circuit Court;
- An attorney employed or contracted by the county under Section 1 of the County Civil Counsel Act (MCL 49.71);
- An attorney employed by or under contract with the Department of Human Services.

Each bill also adds a provision to specify that the proceedings where these responsibilities are exercised are "conducted on behalf of the state and not as the attorney for another party."

House Bill 5466 would amend the Paternity Act (MCL 722.174);

House Bill 5467 would amend the Revocation of Paternity Act (MCL 722.1437)

House Bill 5468 would amend the Family Support Act (MCL 552.454).

House Bill 5469 would amend the Uniform Interstate Family Support Act (MCL 552.1308 et al.).

House Bill 5470 would amend Revised Uniform Reciprocal Enforcement of Support Act (MCL 780.160a et al.).

House Bill 5471 would amend Public Act 293 of 1968, referred to popularly as the Emancipation of Minors Act (MCL 722.3).

The bills would take effect 90 days after being enacted into law

**FISCAL IMPACT:**

Since these bills only permit, and do not mandate, agreements to transfer the prosecutor's responsibilities to one of the three entities listed above, the fiscal impact on the state and local units of government is indeterminate. However, it is possible that these bills could marginally increase DHS personnel costs if any agreements transfer the prosecutor's responsibilities to "an attorney employed by or under contract with the Department of Human Services."

**POSITIONS:**

Department of Human Services supports the bills in concept. (4-30-14)

Program Leadership Group/FOCA testified in support of the bills (4-30-14)

Michigan Catholic Conference supports the bills. (4-30-14)

Prosecuting Attorneys Association of Michigan testified in support of the bills. (5-21-14)

Prosecuting Attorneys Coordinating Council supports the bills. (5-21-14)

A representative of the 14<sup>th</sup> Circuit Court/Family Court/Friend of the Court testified in support of the bills. (5-21-14)

Legislative Analyst: E. Best  
Fiscal Analyst: Kevin Koorstra

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.