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Senate Bill 520 (as enacted)  
Sponsor: Senator Judy K. Emmons  
Senate Committee: Families, Seniors and Human Services  
House Committee: Families, Children, and Seniors

**PUBLIC ACT 377 of 2014**

Date Completed: 2-20-15

**CONTENT**

**The bill amends Section 165 of the Michigan Penal Code to do the following:**

- **Provide that an order for restitution for violation of a support order may not include a separate award for the arrearage amount.**
- **Require the restitution order to direct the individual to pay the arrearage.**
- **Allow a court to order additional restitution under the Crime Victim's Rights Act.**
- **Provide that Section 165 does not apply unless the court in which the support order was issued had personal jurisdiction over the individual ordered to pay.**

The bill will take effect on March 17, 2015.

Under Section 165, if an individual does not pay court-ordered spousal or child support in the amount or at the time stated in the order, he or she is guilty of a felony punishable by up to four years' imprisonment and/or a maximum fine of \$2,000.

The bill provides that an order for restitution for a violation of Section 165 may not include a separate award for the unpaid amount in arrearage under the support order. The restitution order must refer to the support order and direct the individual to pay the unpaid amount in arrearage under the support order pursuant to the order. The court may impose terms and conditions in the restitution order as appropriate to ensure compliance with payment of the arrearage due under the support order. The court also may order additional restitution as provided under the Crime Victim's Rights Act.

Currently, Section 165 does not apply unless the individual ordered to pay support appeared in, or received notice by personal service of, the action in which the support order was issued. Under the bill, Section 165 will not apply unless the court in which the support order was issued had personal jurisdiction over the individual.

MCL 750.165

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: John Maxwell

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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.