

HOUSE BILL NO. 6260

December 10, 2024, Introduced by Reps. Beeler and Thompson and referred to the Committee on Families, Children and Seniors.

A bill to amend 1966 PA 138, entitled
"The family support act,"
by amending section 2 (MCL 552.452), as amended by 2009 PA 236.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Upon the hearing of the complaint, in the manner
2 of a motion, the court may enter an order as it determines proper
3 for the support of the petitioner and the minor child or children
4 of the parties as prescribed in section 5 of the support and
5 parenting time enforcement act, 1982 PA 295, MCL 552.605. The order
6 ~~shall~~**must** provide that payment ~~shall~~**must** be made to the friend of

1 the court or the state disbursement unit. If the parent complained
2 of opposes the entry of the order upon the ground that ~~he or she~~
3 **the parent** is without sufficient financial ability to provide
4 necessary shelter, food, care, clothing, and other support for ~~his~~
5 ~~or her~~ **the parent's** spouse and child or children, the burden of
6 proving this lack of ability is on the parent against whom the
7 complaint is made. The order ~~shall~~ **must** state in separate
8 paragraphs the amount of support for the petitioner until the
9 further order of the court, and the amount of support for each
10 child until each child reaches 18 years of age or until the further
11 order of the court. Subject to section 5b of the support and
12 parenting time enforcement act, 1982 PA 295, MCL 552.605b, the
13 court may also order support for the child after the child reaches
14 18 years of age, or until the further order of the court. Support
15 ordered may include expenses of medical, dental, and other health
16 care, child care, and education, necessary medical expenses
17 incurred in connection with the mother's pregnancy or the birth of
18 the child, and the expense of genetic testing. **A court shall not**
19 **order a parent to pay child support for a child that the court**
20 **determines is not the parent's biological child.** A child support
21 obligation is only retroactive to the date that the complaint for
22 support was filed unless any of the following circumstances exist:
23 (a) The defendant was avoiding service of process.
24 (b) The defendant threatened or coerced through domestic
25 violence or other means the complainant not to file a proceeding
26 under this act.
27 (c) The defendant otherwise delayed the imposition of a
28 support obligation.
29 (2) The court shall order medical expenses incurred in

1 connection with the mother's pregnancy or the birth of the child
2 under this section in the same manner as medical expenses are
3 ordered under section 2 of the paternity act, 1956 PA 205, MCL
4 722.712, and shall include in its order provisions as required by
5 that section for orders entered under that act.

6 (3) A support order entered under this section is enforceable
7 as provided in the support and parenting time enforcement act, 1982
8 PA 295, MCL 552.601 to 552.650. If this act contains a specific
9 provision regarding the contents or enforcement of a child support
10 order that conflicts with a provision in the support and parenting
11 time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, this act
12 controls in regard to that provision.

13 (4) If there is no dispute regarding a child's custody, the
14 court shall include in an order for support issued under this act
15 specific provisions governing custody of and parenting time for the
16 child in accordance with the child custody act of 1970, 1970 PA 91,
17 MCL 722.21 to 722.31. If there is a dispute regarding custody of
18 and parenting time for the child, the court shall include in an
19 order for support issued under this act specific temporary
20 provisions governing custody of and parenting time for the child.
21 Pending a hearing on or other resolution of the dispute, the court
22 may refer the matter to the office of the friend of the court for a
23 written report and recommendation as provided in section 5 of the
24 friend of the court act, 1982 PA 294, MCL 552.505. In a dispute
25 regarding custody of and parenting time for a child, the
26 prosecuting attorney is not required to represent either party
27 regarding the dispute.

28 Enacting section 1. This amendatory act does not take effect
29 unless all of the following bills of the 101st Legislature are

1 enacted into law:

2 (a) Senate Bill No. _____ or House Bill No. 6263 (request no.
3 06344'24).

4 (b) Senate Bill No. _____ or House Bill No. 6262 (request no.
5 06344'24 a).