

**SUBSTITUTE FOR
SENATE BILL NO. 523**

A bill to amend 1982 PA 295, entitled
"Support and parenting time enforcement act,"
by amending section 2 (MCL 552.602), as amended by 2009 PA 193.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. As used in this act:
- 2 (a) "Account" means any of the following:
- 3 (i) A demand deposit account.
- 4 (ii) A draft account.
- 5 (iii) A checking account.
- 6 (iv) A negotiable order of withdrawal account.
- 7 (v) A share account.
- 8 (vi) A savings account.
- 9 (vii) A time savings account.
- 10 (viii) A mutual fund account.
- 11 (ix) A securities brokerage account.

1 (x) A money market account.

2 (xi) A retail investment account.

3 **(xii) AN INDIVIDUAL RETIREMENT ACCOUNT.**

4 (b) "Account" does not mean any of the following:

5 (i) A trust.

6 (ii) An annuity.

7 ~~(iii) A qualified individual retirement account.~~

8 (iii) ~~(iv)~~ An account covered by the employee retirement income
9 security act of 1974, Public Law 93-406.

10 (iv) ~~(v)~~ A pension or retirement plan.

11 (v) ~~(vi)~~ An insurance policy.

12 (c) "Cash" means money or the equivalent of money, such as a
13 money order, cashier's check, or negotiable check or a payment by
14 debit or credit card, which equivalent is accepted as cash by the
15 agency accepting the payment.

16 (d) "Custody or parenting time order violation" means an
17 individual's act or failure to act that interferes with a parent's
18 right to interact with his or her child in the time, place, and
19 manner established in the order that governs custody or parenting
20 time between the parent and the child and to which the individual
21 accused of interfering is subject.

22 (e) "Department" means the department of human services.

23 (f) "Domestic relations matter" means a circuit court
24 proceeding as to child custody, parenting time, child support, or
25 spousal support, that arises out of litigation under a statute of
26 this state, including, but not limited to, the following:

27 (i) 1846 RS 84, MCL 552.1 to 552.45.

1 (ii) The family support act, 1966 PA 138, MCL 552.451 to
2 552.459.

3 (iii) The child custody act of 1970, 1970 PA 91, MCL 722.21 to
4 722.31.

5 (iv) 1968 PA 293, MCL 722.1 to 722.6.

6 (v) The paternity act, 1956 PA 205, MCL 722.711 to 722.730.

7 (vi) The revised uniform reciprocal enforcement of support act,
8 1952 PA 8, MCL 780.151 to 780.183.

9 (vii) The uniform interstate family support act, 1996 PA 310,
10 MCL 552.1101 to 552.1901.

11 (g) "Driver's license" means license as that term is defined
12 in section 25 of the Michigan vehicle code, 1949 PA 300, MCL
13 257.25.

14 (h) "Employer" means an individual, sole proprietorship,
15 partnership, association, or private or public corporation, the
16 United States or a federal agency, this state or a political
17 subdivision of this state, another state or a political subdivision
18 of another state, or another legal entity that hires and pays an
19 individual for his or her services.

20 (i) "Financial asset" means a deposit, account, money market
21 fund, stock, bond, or similar instrument.

22 (j) "Financial institution" means any of the following:

23 (i) A state or national bank.

24 (ii) A state or federally chartered savings and loan
25 association.

26 (iii) A state or federally chartered savings bank.

27 (iv) A state or federally chartered credit union.

1 (v) An insurance company.

2 (vi) An entity that offers any of the following to a resident
3 of this state:

4 (A) A mutual fund account.

5 (B) A securities brokerage account.

6 (C) A money market account.

7 (D) A retail investment account.

8 (vii) An entity regulated by the securities and exchange
9 commission that collects funds from the public.

10 (viii) An entity that is a member of the national association of
11 securities dealers and that collects funds from the public.

12 (ix) Another entity that collects funds from the public.

13 (k) "Friend of the court act" means the friend of the court
14 act, 1982 PA 294, MCL 552.501 to 552.535.

15 (l) "Friend of the court case" means that term as defined in
16 section 2 of the friend of the court act, MCL 552.502.

17 (m) "Income" means any of the following:

18 (i) Commissions, earnings, salaries, wages, and other income
19 due or to be due in the future to an individual from his or her
20 employer or a successor employer.

21 (ii) A payment due or to be due in the future to an individual
22 from a profit-sharing plan, a pension plan, an insurance contract,
23 an annuity, social security, unemployment compensation,
24 supplemental unemployment benefits, or worker's compensation.

25 (iii) An amount of money that is due to an individual as a debt
26 of another individual, partnership, association, or private or
27 public corporation, the United States or a federal agency, this

1 state or a political subdivision of this state, another state or a
2 political subdivision of another state, or another legal entity
3 that is indebted to the individual.

4 (n) "Insurer" means an insurer, health maintenance
5 organization, health care corporation, or other group, plan, or
6 entity that provides health care coverage in accordance with any of
7 the following acts:

8 (i) The public health code, 1978 PA 368, MCL 333.1101 to
9 333.25211.

10 (ii) The insurance code of 1956, 1956 PA 218, MCL 500.100 to
11 500.8302.

12 (iii) The nonprofit health care corporation reform act, 1980 PA
13 350, MCL 550.1101 to 550.1704.

14 (o) "Medical assistance" means medical assistance as
15 established under title XIX of the social security act, 42 USC 1396
16 to ~~1396v~~**1396W-5**.

17 (p) "Most recent semiannual obligation" means the total amount
18 of current child support owed by a parent during the preceding
19 January 1 to June 30 or July 1 to December 31.

20 (q) "Occupational license" means a certificate, registration,
21 or license issued by a state department, bureau, or agency that has
22 regulatory authority over an individual that allows an individual
23 to legally engage in a regulated occupation or that allows the
24 individual to use a specific title in the practice of an
25 occupation, profession, or vocation.

26 (r) "Office of child support" means the office of child
27 support established in section 2 of the office of child support

1 act, 1971 PA 174, MCL 400.232.

2 (s) "Office of the friend of the court" means an agency
3 created in section 3 of the friend of the court act, MCL 552.503.

4 (t) "Order of income withholding" means an order entered by
5 the circuit court providing for the withholding of a payer's income
6 to enforce a support order under this act.

7 (u) "Payer" means an individual who is ordered by the circuit
8 court to pay support.

9 (v) "Person" means an individual, partnership, corporation,
10 association, governmental entity, or other legal entity.

11 (w) "Plan administrator" means that term as used in relation
12 to a group health plan under section 609 of title I of the employee
13 retirement income security act of 1974, 29 USC 1169, if the health
14 care coverage plan of the individual who is responsible for
15 providing a child with health care coverage is subject to that act.

16 (x) "Political subdivision" means a county, city, village,
17 township, educational institution, school district, or special
18 district or authority of this state or of a local unit of
19 government.

20 (y) "Recipient of support" means the following:

21 (i) The spouse, if the support order orders spousal support.

22 (ii) The custodial parent or guardian, if the support order
23 orders support for a minor child or a child who is 18 years of age
24 or older.

25 (iii) The department, if support has been assigned to that
26 department.

27 (iv) The county, if the minor child is in county-funded foster

1 care.

2 (z) "Recreational or sporting license" means a hunting,
3 fishing, or fur harvester's license issued under the natural
4 resources and environmental protection act, 1994 PA 451, MCL
5 324.101 to 324.90106, but does not include a commercial fishing
6 license or permit issued under part 473 of the natural resources
7 and environmental protection act, 1994 PA 451, MCL 324.47301 to
8 324.47362.

9 (aa) "Referee" means a person who is designated as a referee
10 under the friend of the court act.

11 (bb) "Source of income" means an employer or successor
12 employer, a labor organization, or another individual or entity
13 that owes or will owe income to the payer.

14 (cc) "State disbursement unit" or "SDU" means the entity
15 established in section 6 of the office of child support act, 1971
16 PA 174, MCL 400.236.

17 (dd) "State friend of the court bureau" means that bureau as
18 created in the state court administrative office under section 19
19 of the friend of the court act, MCL 552.519.

20 (ee) "Support" means all of the following:

21 (i) The payment of money for a child or a spouse ordered by the
22 circuit court, whether the order is embodied in an interim,
23 temporary, permanent, or modified order or judgment. Support may
24 include payment of the expenses of medical, dental, and other
25 health care, child care expenses, and educational expenses.

26 (ii) The payment of money ordered by the circuit court under
27 the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the

1 necessary expenses connected to the mother's pregnancy or the birth
2 of the child, or for the repayment of genetic testing expenses.

3 (iii) A surcharge under section 3a.

4 (ff) "Support order" means an order entered by the circuit
5 court for the payment of support, whether or not a sum certain.

6 (gg) "Title IV-D" means part D of title IV of the social
7 security act, 42 USC 651 to 669b.

8 (hh) "Title IV-D agency" means the agency in this state
9 performing the functions under title IV-D and includes a person
10 performing those functions under contract, including an office of
11 the friend of the court or a prosecuting attorney.

12 (ii) "Work activity" means any of the following:

13 (i) Unsubsidized employment.

14 (ii) Subsidized private sector employment.

15 (iii) Subsidized public sector employment.

16 (iv) Work experience, including work associated with the
17 refurbishing of publicly assisted housing, if sufficient private
18 sector employment is not available.

19 (v) On-the-job training.

20 (vi) Referral to and participation in the ~~work-first~~ **PATH:**
21 **PARTNERSHIP. ACCOUNTABILITY. TRAINING. HOPE. WORK PARTNERSHIP**
22 program prescribed in the social welfare act, 1939 PA 280, MCL
23 400.1 to 400.119b, or other job search and job readiness
24 assistance.

25 (vii) A community service program.

26 (viii) Vocational educational training, not to exceed 12 months
27 with respect to an individual.

1 (ix) Job skills training directly related to employment.

2 (x) Education directly related to employment, in the case of
3 an individual who has not received a high school diploma or a
4 certificate of high school equivalency.

5 (xi) Satisfactory attendance at secondary school or in a course
6 of study leading to a certificate of general equivalence, in the
7 case of an individual who has not completed secondary school or
8 received such a certificate.

9 (xii) The provision of child care services to an individual who
10 is participating in a community service program.

11 Enacting section 1. This amendatory act does not take effect
12 unless all of the following bills of the 97th Legislature are
13 enacted into law:

14 (a) Senate Bill No. 524.

15 (b) Senate Bill No. 525.