



**House
Legislative
Analysis
Section**

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CHILD SUPPORT PAST AGE 18

MAY 16 1990

House Bills 5286 and 5287
Sponsor: Rep. Perry Bullard

House Bill 5649
Sponsor: Rep. Nick Ciaramitaro

House Bill 5650
Sponsor: Rep. Bill Martin

Committee: Judiciary

Complete to 4-10-90

A SUMMARY OF HOUSE BILLS 5286 AND 5287 AS INTRODUCED 11-13-89 AND HOUSE BILLS 5649 AND 5650 AS INTRODUCED 3-29-90

The bills, together with Senate Bills 902 through 906, constitute a package of bills to allow child support payments to be ordered beyond the age of 18 under certain circumstances. House Bills 5649 and 5650 could not take effect unless House Bill 5287 was enacted.

House Bill 5286 would amend the divorce law to allow a court to order a parent to pay support for his or her child who is 18 years of age or older during the time that the child is enrolled in high school, but in no case after the child is 21 years of age. Existing language to allow support to be ordered past the age of 18 in exceptional circumstances would be retained in substantially the same form (this language has been without force since the supreme court decided in November 1989 that it conflicted with the Age of Majority Act).

MCL 552.17a

House Bill 5287 would amend the Age of Majority Act to say a court may order support payments for a child 18 years of age or older as provided by the divorce law.

MCL 722.52

House Bill 5649 would amend the Paternity Act to make enforceable an agreement for support past age 18, whether that agreement was made before or after the effective date of the bill. Such an agreement would be valid and enforceable if it was contained in the judgment or order by any of the following means: agreement of the parties as stated in the document, agreement of the parties as evidenced by approval of the document by them or their attorneys, written agreement signed by the parties, or oral agreement of the parties as stated on the record by them or their attorneys. Also enforceable would be an order (including one that predated the bill) for support for a child up to 19 years and six months who was attending high school; an agreement of the parties would not be necessary in this situation. A request for such support could be filed any time before the child reached the age of 19 years and six months.

MCL 722.717 and 722.717a

House Bill 5286 et al. (4-10-90)

House Bill 5650 would amend the Child Custody Act to include language paralleling that provided by House Bill 5649.

MCL 722.22 et al.