

HOUSE BILL No. 5687

March 11, 1992, Introduced by Reps. Perry Bullard, Gire, Dobronski, Willis Bullard and McNutt and referred to the Committee on Judiciary.

A bill to amend sections 9 and 10 of Act No. 295 of the Public Acts of 1982, entitled as amended "Support and visitation enforcement act," section 9 as amended by Act No. 210 of the Public Acts of 1985, being sections 552.609 and 552.610 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 9 and 10 of Act No. 295 of the Public
2 Acts of 1982, section 9 as amended by Act No. 210 of the Public
3 Acts of 1985, being sections 552.609 and 552.610 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 9. (1) ~~An~~ EXCEPT AS PROVIDED IN SUBSECTION (2), AN
6 order of income withholding entered under this act shall be
7 served on sources of income as provided in section 11. The order
8 shall direct sources of income to withhold from income due the

1 payer and to pay to the office of the friend of the court for the
2 judicial circuit in which the order was entered an amount suffi-
3 cient to meet the payments ordered for support and service fees
4 ~~—~~ and to defray arrearages in payments and service fees due at
5 the time the order of income withholding takes effect. The order
6 shall also direct that the amount withheld shall not exceed the
7 amount allowed under section 303(b) of title III of the consumer
8 credit protection act, Public Law 90-321, 15 U.S.C. 1673(b). The
9 order shall be accompanied by a notice containing a statement of
10 the requirements of sections 11, 11a, 12, 13, 14, 21, and 23.
11 The order shall also direct that any income withheld under the
12 order shall be paid to the office of the friend of the court
13 within 3 days after the date of the withholding.

14 (2) AN ORDER OF INCOME WITHHOLDING MAY BE SERVED ON A LABOR
15 UNION OR EMPLOYEE ORGANIZATION. IF THE LABOR UNION OR EMPLOYEE
16 ORGANIZATION HAS KNOWLEDGE OF THE PLACE OF EMPLOYMENT OF THE
17 PAYER NAMED IN THE ORDER OF INCOME WITHHOLDING, THE LABOR UNION
18 OR EMPLOYEE ORGANIZATION SHALL SERVE THE ORDER OF INCOME WITH-
19 HOLDING ON THE EMPLOYER WITHIN 7 DAYS AFTER SERVICE OF THE ORDER
20 OF INCOME WITHHOLDING ON THE LABOR UNION OR EMPLOYEE ORGANI-
21 ZATION, AS PROVIDED IN SECTION 11, AND EACH TIME THEREAFTER THAT
22 THE PAYER CHANGES PLACES OF EMPLOYMENT. THE LABOR UNION OR
23 EMPLOYEE ORGANIZATION SHALL NOTIFY THE FRIEND OF THE COURT THAT
24 SERVICE OF THE ORDER OF INCOME WITHHOLDING ON THE EMPLOYER HAS
25 BEEN COMPLETED.

26 Sec. 10. The payer shall give to the office of the friend
27 of the court at the time the order of income withholding is

1 issued the name and address of his or her employer AND THE NAME
2 AND ADDRESS OF HIS OR HER LABOR UNION OR EMPLOYEE ORGANIZATION,
3 IF ANY. The payer shall immediately give to the office of the
4 friend of the court notice of the name and address of any subse-
5 quent employer.