

Act No. 256
Public Acts of 1993
Approved by the Governor
November 29, 1993
Filed with the Secretary of State
November 29, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Senator Bouchard

ENROLLED SENATE BILL No. 172

AN ACT to amend section 3 of Act No. 295 of the Public Acts of 1982, entitled as amended "An act to supplement statutes which provide for the enforcement of support and visitation orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal certain acts and parts of acts," as amended by Act No. 198 of the Public Acts of 1987, being section 552.603 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 3 of Act No. 295 of the Public Acts of 1982, as amended by Act No. 198 of the Public Acts of 1987, being section 552.603 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 3. (1) A support order issued by a court of this state shall be enforced pursuant to this section.

(2) Except as otherwise provided in this section, a support order that is part of a judgment or is an order in a domestic relations matter as defined in section 31 of the friend of the court act, Act No. 294 of the Public Acts of 1982, being section 552.531 of the Michigan Compiled Laws, is a judgment on and after the date each support payment is due, with the full force, effect, and attributes of a judgment of this state, and is not, on and after the date it is due, subject to retroactive modification. Retroactive modification of a support payment due under a support order is permissible with respect to any period during which there is pending a petition for modification, but only from the date that notice of the petition was given to the payer or recipient of support.

(3) This section does not apply to an ex parte interim support order or a temporary support order entered pursuant to supreme court rule.

(4) The office of the friend of the court shall make available to a payer or payee the forms and instructions described in section 17a of the friend of the court act, Act No. 294 of the Public Acts of 1982, being section 552.517a of the Michigan Compiled Laws.

(5) This section does not prohibit a court approved agreement between the parties to retroactively modify a support order. This section does not limit other enforcement remedies available under this act or any other act.

(6) Every support order that is part of a judgment issued by a court of this state or that is an order in a domestic relations matter as defined in section 31 of the friend of the court act, Act No. 294 of the Public Acts of 1982, shall include both of the following:

(a) Substantially the following statement: "Except as otherwise provided in section 3 of the support and visitation enforcement act, Mich. Comp. Laws §552.603 (1979), a support order that is part of a judgment or that is an order in a domestic relations matter as defined in section 31 of the friend of the court act, Mich. Comp. Laws §552.531 (1979), is a

judgment on and after the date each support payment is due, with the full force, effect, and attributes of a judgment of this state, and is not, on and after the date it is due, subject to retroactive modification.”

(b) A requirement that, within 21 days after the payer or payee changes his or her address, that person report the new address in writing to the friend of the court.

This act is ordered to take immediate effect.

Secretary of the Senate.

Co-Clerk of the House of Representatives.

Approved -----

Governor.