



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 593 (Substitute S-1 as reported)
Sponsor: Senator Jon Cisky
Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Support and Visitation Enforcement Act to impose liability for court costs on someone subject to a show cause hearing for failure to obey a support order or for violation of a visitation order; replace references to "visitation" with references to "parenting time"; and require, rather than permit, a court to take certain actions if a parent had violated a parenting time order.

Under the bill, if a court issued a bench warrant for the arrest of someone who had failed or refused to obey a support order, except for good cause shown on the record, the court would have to order the payer to pay the costs related to the hearing, issuance of the warrant, arrest, and further hearings. In addition, if a party failed to appear in response to a show cause order for violation of a parenting time order, the court could issue a bench warrant and, except for good cause shown on the record, would have to order the party to pay the costs of the hearing, issuance of the warrant, arrest, and further hearings. These costs would have to be transmitted to the State Treasurer for distribution as required in Senate Bill 594.

Currently, if a court finds that either parent has violated a visitation order, the court must find the parent in contempt and may order additional sanctions, which include requiring additional terms and conditions consistent with the order, modifying the order, ordering that makeup visitation be provided, ordering the parent to pay a fine of up to \$100, and/or committing the parent to the county jail. Under Senate Bill 593 (S-1), the court would have to take one or more of those actions, or state on the record the reason the court was not ordering one of the sanctions listed.

The bill would take effect on June 1, 1996, and is tie-barred to Senate Bill 594.

MCL 552.631 et al.

Legislative Analyst: S. Margules

FISCAL IMPACT

It is indeterminate how Senate Bills 593 (S-1) and 594 (S-1) would affect the counties, because court costs may differ with each bench warrant issued. If a court were able to collect related costs for each bench warrant issued, there could be some additional revenues for the Friend of the Court offices and law enforcement agencies. This amount is not expected to be significant.

Date Completed: 10-24-95

Fiscal Analyst: M. Bain

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.