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**BILL ANALYSIS**

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Senate Bill 881 (Substitute S-4 as reported by the Committee of the Whole)  
Sponsor: Senator Michael J. Bouchard  
Committee: Families, Mental Health and Human Services

**CONTENT**

The bill would amend the Support and Parenting Time Enforcement Act to allow a court to suspend the occupational license of a support payer if he or she were in arrears on child support payments and failed to comply with an arrearage payment schedule. The bill would take effect January 1, 1997.

Currently, if the court finds a payer in contempt of court, the court immediately may enter one of several orders committing the person to a county jail or a penal or correctional facility that is not operated by the Michigan Department of Corrections. The court may find a payer in contempt of court if it finds that the payer is in arrears and has the capacity to pay out of currently available resources all or part of the amount due under the support order. The payer also may be found in contempt if the court finds that the payer, by the exercise of diligence, could have the capacity to pay under the support order and has failed or refused to do so. The bill would give the court the additional option of conditioning the suspension of a payer's occupational license upon noncompliance with an order for payment of the arrearage in one or more scheduled installments of a sum certain. The court could not order the sanction unless it found that the payer had accrued an arrearage in an amount greater than the amount of periodic support payments payable for three months under the payer's support order. If the court entered an order for payment of the arrearage and the payer failed to comply with the arrearage payment schedule, after notice and opportunity for a hearing, the court would have to order suspension of the payer's occupational license.

The bill is tie-barred to House Bills 5384, 5386, 5387, 5388, and 5389, which would amend various acts to provide for the suspension of an occupational license or a driver's license for failure to pay a support arrearage or to comply with court-ordered parenting time. The bill also is tie-barred to House Bill 5385, which would create the "Regulated Occupation Support Enforcement Act" to require an occupational regulatory agency to comply with a license suspension order.

MCL 552.633 & 552.635

Legislative Analyst: L. Burghardt

**FISCAL IMPACT**

The fiscal impact on the State would depend on whether the possible suspension of one's occupational license was effective in making payers comply with support orders. If it were, then there could be potential savings to the State for families who rely on public assistance due to noncompliance with support orders by payers.

The bills to which Senate Bill 881 (S-4) is tie-barred would allow the departments to charge their customary reinstatement fees for those licensees affected. This increased revenue should cover any additional cost incurred by the departments. There is no estimate as to the number of licenses that could be suspended under these bills.

Date Completed: 5-10-96

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.