

Act No. 367
Public Acts of 1996
Approved by the Governor
July 2, 1996
Filed with the Secretary of State
July 2, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Senators Geake, Gougeon, Hoffman, Shugars, Byrum, Stille and Peters

ENROLLED SENATE BILL No. 588

AN ACT to amend sections 11 and 17 of Act No. 295 of the Public Acts of 1982, entitled as amended "An act to provide for and to supplement statutes that provide for the enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe certain provisions of those orders; 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 acts and parts of acts," section 11 as amended by Act No. 210 of the Public Acts of 1985, being sections 552.611 and 552.617 of the Michigan Compiled Laws; and to add section 3b.

The People of the State of Michigan enact:

Section 1. Sections 11 and 17 of Act No. 295 of the Public Acts of 1982, section 11 as amended by Act No. 210 of the Public Acts of 1985, being sections 552.611 and 552.617 of the Michigan Compiled Laws, are amended and section 3b is added to read as follows:

Sec. 3b. If an individual who is required by the court to report his or her income to the court or the office of the friend of the court knowingly and intentionally fails to report, refuses to report, or knowingly misrepresents that income, after notice and an opportunity for a hearing, the court may retroactively correct the amount of support.

Sec. 11. An order of income withholding entered under this act is binding upon a source of income 7 days after service upon that source of income of a copy of the order of income withholding by ordinary mail or by electronic means as agreed by the source of income and the office of the friend of the court. The order of income withholding remains in effect until further order of the court. An order of income withholding has priority over all other legal process under state law against the same income.

Sec. 17. If the court orders a modification in support and an order of income withholding has been entered under this act, the office of the friend of the court shall give to a source of income to which a copy of the order of income withholding was sent under section 11 a notice of the modification by ordinary mail or by electronic means as agreed by the source of income and the office of the friend of the court. The amount assigned or withheld shall be changed to conform with the court ordered modification 7 days after receipt of the notice of modification.

Section 2. This amendatory act shall take effect January 1, 1997.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.