



# HOUSE BILL No. 4205

January 30, 1995, Introduced by Reps. Pitoniak, DeHart, DeMars, Cherry, Martinez, Varga, Anthony, Hanley, Berman, Brewer, Profit and Baird and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 4 of Act No. 138 of the Public Acts of 1966, entitled as amended

"The family support act,"

as amended by Act No. 292 of the Public Acts of 1990, being section 552.454 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 138 of the Public Acts of  
2 1966, as amended by Act No. 292 of the Public Acts of 1990, being  
3 section 552.454 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 4. (1) If the department of social services of the  
6 county where the custodial parent or guardian of the minor child  
7 or children or the child or children who have reached 18 years of  
8 age resides determines the custodial parent, the minor child or  
9 children, the child or children who have reached 18 years of age,

1 or any of them to be eligible for public assistance, or if a  
2 complaint is being filed under section 1b, the prosecuting attorney  
3 shall act as the attorney for the petitioner. ~~-(2)-~~ The  
4 prosecuting attorney shall utilize the child support formula  
5 developed under section 19 of the friend of the court act, Act  
6 No. 294 of the Public Acts of 1982, being section 552.519 of the  
7 Michigan Compiled Laws, as a guideline in petitioning for child  
8 support. ~~Upon~~

9       (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, UPON  
10 certification by the county department of social services that  
11 the custodial parent and minor child or children or child or  
12 children who have reached 18 years of age are receiving public  
13 assistance, payments received by the friend of the court for the  
14 support of the custodial parent and minor child or children or  
15 child or children who have reached 18 years of age shall be  
16 transmitted to the state department of social services. THE  
17 FRIEND OF THE COURT SHALL PAY DIRECTLY TO THE CUSTODIAL PARENT  
18 THE PORTION OF A CHILD SUPPORT PAYMENT THAT IS PAID TO SATISFY AN  
19 ARREARAGE THAT ACCRUED DURING A PERIOD OF TIME WHEN THE CUSTODIAL  
20 PARENT WAS NOT RECEIVING PUBLIC ASSISTANCE.