



HOUSE BILL No. 5462

December 6, 1995, Introduced by Reps. DeHart, Brewer, Kelly, LaForge, Martinez, Brater, Gire, Cherry, Pitoniak and Tesanovich and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 9 of Act No. 294 of the Public Acts of 1982, entitled as amended "Friend of the court act," being section 552.509 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 9 of Act No. 294 of the Public Acts of
2 1982, being section 552.509 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 9. (1) After a support order is entered in a domestic
5 relations matter except as otherwise provided in the order or
6 judgment, the office shall receive all payments of support orders
7 and service fees; not less than once each month record the sup-
8 port payments due, paid, and past due; and disburse all support
9 receipts to the recipient of support.

1 (2) IF THE OFFICE DOES NOT DISBURSE MONEY RECEIVED AS A
2 SUPPORT PAYMENT TO THE RECIPIENT OF SUPPORT WITHIN 7 DAYS AFTER
3 RECEIPT, THE OFFICE SHALL ADD INTEREST TO THAT MONEY BEGINNING ON
4 THE EIGHTH DAY AND CONTINUING UNTIL THE MONEY IS DISBURSED.
5 INTEREST UNDER THIS SUBSECTION SHALL BE CALCULATED AT AN ANNUAL
6 RATE OF 2 PERCENTAGE POINTS LESS THAN THE AVERAGE EFFECTIVE PRIME
7 LENDING RATE FOR COMMERCIAL BANKS AS REPORTED BY THE FEDERAL
8 RESERVE SYSTEM. THIS RATE SHALL BE DETERMINED BY THE DEPARTMENT
9 OF STATE TREASURY, WHICH SHALL REDETERMINE THE RATE TWICE ANNUAL-
10 LY, PUBLISHING THE RATE FOR THE FOLLOWING 6 MONTHS ON JANUARY 1
11 AND JULY 1. THIS SUBSECTION APPLIES ONLY TO MONEY RECEIVED BY AN
12 OFFICE OF THE FRIEND OF THE COURT ON AND AFTER JANUARY 1, 1996.

13 (3) ~~(2)~~ The office shall provide annually to each party,
14 without charge, 1 statement of account upon request. Additional
15 statements of account shall be provided at a reasonable fee suf-
16 ficient to pay for the cost of reproduction. Statements provided
17 under this subsection are in addition to statements provided for
18 administrative and judicial hearings.

19 (4) ~~(3)~~ The office shall initiate and carry out proceed-
20 ings to enforce all orders entered in a domestic relations matter
21 regarding custody, visitation, and support ~~7~~ in accordance with
22 this act, the support and visitation enforcement act, and supreme
23 court rules.