



SENATE BILL No. 1067

July 3, 1996, Introduced by Senator HOFFMAN and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend Act No. 295 of the Public Acts of 1982, entitled as amended
"Support and parenting time enforcement act,"
as amended, being sections 552.601 to 552.650 of the Michigan Compiled Laws, by adding section 26.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 295 of the Public Acts of 1982, as
2 amended, being sections 552.601 to 552.650 of the Michigan
3 Compiled Laws, is amended by adding section 26 to read as
4 follows:

5 SEC. 26. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
6 A LIEN IS CREATED AGAINST THE PAYER'S REAL AND PERSONAL PROPERTY
7 FOR THE CUMULATIVE AMOUNT OF PAYMENTS DUE UNDER A SUPPORT ORDER
8 UNDER SECTION 3 IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

1 (A) EACH PAYMENT HAS BEEN DUE FOR NOT LESS THAN 90 DAYS.

2 (B) THE CUMULATIVE AMOUNT OF PAYMENTS DUE EQUALS OR EXCEEDS
3 \$2,000.00.

4 (C) A NOTICE OF LIEN IS FILED AND RECORDED BY THE OFFICE OF
5 THE FRIEND OF THE COURT IN ANY COUNTY IN WHICH THE PAYER HAS A
6 PROPERTY INTEREST.

7 (2) THE OFFICE OF THE FRIEND OF THE COURT SHALL FILE A
8 NOTICE OF THE LIEN IMPOSED BY THIS SECTION WITH THE SECRETARY OF
9 STATE AND THE REGISTER OF DEEDS IN EACH COUNTY IN WHICH THE PAYER
10 HAS A PROPERTY INTEREST.

11 (3) A LIEN CREATED PURSUANT TO THIS SECTION IS NOT ENFORCE-
12 ABLE AGAINST A BONA FIDE PURCHASER FOR VALUE OR AN ENCUMBRANCER
13 ACQUIRING A PROPERTY INTEREST FROM THE PAYER BEFORE THE DATE OF
14 THE FILING OF THE LIEN.

15 (4) A PAYMENT THAT BECOMES A JUDGMENT UNDER SECTION 3 AFTER
16 THE INITIAL IMPOSITION OF A LIEN BY THIS SECTION MAY BE ADDED TO
17 THE LIEN AMOUNT UPON THE FILING AND RECORDING BY THE OFFICE OF
18 THE FRIEND OF THE COURT OF A NOTICE OF LIEN IN ANY COUNTY IN
19 WHICH THE PAYER HAS A PROPERTY INTEREST. THE OFFICE OF THE
20 FRIEND OF THE COURT SHALL IMMEDIATELY PROCEED WITH THE ENFORCE-
21 MENT OF A LIEN IMPOSED BY THIS SECTION. A LIEN IMPOSED BY THIS
22 SECTION IS ENFORCEABLE IN THE SAME MANNER AS A LIEN IMPOSED BY
23 THE COURT UNDER SECTION 25.

24 (5) THE FRIEND OF THE COURT BUREAU WITHIN THE STATE COURT
25 ADMINISTRATOR'S OFFICE SHALL CREATE A NOTICE OF LIEN FORM WHICH
26 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING INFORMATION:
27 THE NAME OF THE PAYER; THE LEGAL DESCRIPTION OF ANY REAL

1 PROPERTY; AND THE AMOUNT OF THE LIEN. IN THE CASE OF A LIEN
2 CREATED IN SUBSECTION (4) INVOLVING ADDITIONAL MONEY ADDED TO THE
3 INITIAL LIEN, THE OFFICE OF THE FRIEND OF THE COURT SHALL CREATE
4 A NOTICE OF LIEN FORM WHICH SHALL INCLUDE THE INFORMATION PRO-
5 VIDED FOR IN THIS SUBSECTION AS WELL AS INFORMATION DESCRIBING
6 THE SPECIFIC AMOUNT OF THE LIEN AND THE TIME PERIOD OVER WHICH
7 THE ADDITIONAL AMOUNT ACCRUED.

8 (6) THE OFFICE OF THE FRIEND OF THE COURT SHALL CREATE A
9 RELEASE AND DISCHARGE OF LIEN FORM FOR FILING AND RECORDING THE
10 RELEASE AND DISCHARGE OF THE LIEN FROM THE PAYER'S PROPERTY.

11 (7) THE REGISTER OF DEEDS SHALL WAIVE THE FILING FEE FOR ANY
12 LIEN FILED BY THE OFFICE OF THE FRIEND OF THE COURT PURSUANT TO
13 THIS SECTION.