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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 351 (Substitute S-1 as reported)  
Sponsor: Senator Robert Geake  
Committee: Families, Mental Health and Human Services

### **CONTENT**

The bill would amend the Michigan Penal Code to make it a felony for a person to fail or refuse to report, or to misrepresent, his or her income when required to do so for determining child support payments. The bill would take effect on October 1, 1997.

Under the bill, a person who was required by the court to report his or her income either to the court or to a person or entity designated by the court in order to determine child support payments could not knowingly and intentionally fail or refuse to report his or her income to the court or the designated individual or entity, or knowingly misrepresent his or her income to the court or the designated individual or entity. A violation of the bill would be punishable by up to four years' imprisonment, a maximum fine of \$2,000, or both.

"Income" would be defined as it is in the Support and Parenting Time Enforcement Act (MCL 552.602). Under that Act, "income" means any of the following:

- Commissions, earnings, salaries, wages, and other income due or to be due in the future to an individual from his or her employer and successor employers.
- A payment due or to be due in the future to an individual from a profit-sharing plan, a pension plan, an insurance contract, an annuity, social security, unemployment compensation, supplemental unemployment benefits, or workers' compensation.
- An amount of money that is due to an individual as a debt of another individual, partnership, association, or private or public corporation, the United States or a Federal agency, the State or a political subdivision of the State, another state or a political subdivision of another state, or another legal entity that is indebted to the individual.

Proposed MCL 750.145d

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government.

The new felony created in the bill could result in increased costs of apprehending, prosecuting, and sanctioning violators of the bill's provisions. There are currently no data available that would indicate the potential number of annual violators or the type of sanction (fine, probation, jail, prison, or some combination) that might be imposed for each offense.

Date Completed: 5-27-97

Fiscal Analyst: M. Hansen

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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.