
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 793 (as reported without amendment)
Sponsor: Senator Robert Geake
Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Uniform Interstate Family Support Act to provide new procedures for determining which order of a "tribunal" of this or another state would control, when there were more than one order. (Under the Act, "tribunal" means "a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or determine parentage".) The bill specifies that, if a responding state had not enacted the Uniform Interstate Family Support Act or a substantially similar law, a Michigan tribunal could issue a certificate or other document and make findings required by the law of the responding state. If the responding state were a foreign jurisdiction, the tribunal could specify the amount of support sought and provide other documents necessary to satisfy the responding state's requirements.

Except as otherwise provided, the bill would require an employer who received an income withholding order issued by another state to withhold and distribute funds as directed in the order, by complying with the terms specified in the order as to the duration and amount; the entity designated to receive payments; medical support; the amount of periodic fees and costs for support enforcement; and the amount of periodic payments of arrearage and interest on arrearage. (The employer would have to comply with the laws of the state of the obligor's principal place of employment as to the employer's processing fee, the maximum amount allowed to be withheld, and the time within which the employer must implement withholding and forward the payments.)

The bill provides that an employer who complied with an out-of-state income withholding order would not be subject to civil liability for withholding child support from the obligor's income. An employer who willfully failed to comply with an out-of-state income withholding order would be subject to the same penalties that would apply for noncompliance with a Michigan order.

The bill also would allow an obligor to contest the validity or enforcement of an out-of-state income withholding order in the same manner as if the order had been issued by a Michigan tribunal.

The bill would delete requirements that various notices be provided specifically by first-class mail.

MCL 552.1103 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact. There is no estimate on savings or a projection on total additional revenue that could result from the bill.

Date Completed: 12-1-97

Fiscal Analyst: B. Bowerman