
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 803 (as reported with amendments)
Sponsor: Senator Gary Peters
Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Support and Parenting Time Enforcement Act to require that every support order include the name, address, and telephone number of a party's source of income and a requirement that the payer and payee inform the Friend of the Court (FOC) of his or her Social Security number and driver's license number and whether he or she held a recreational or sporting license; and would extend various sanctions to such a license.

Under the bill, a payer who received notice of income withholding due to reaching a fixed arrearage amount could request a hearing only on ground that the withholding was not proper because of a mistake of fact concerning the amount of current or overdue support or the identity of the payer. If a support arrearage accrued and there were reason to believe that the payer transferred real or personal property without fair consideration, the FOC would have to initiate proceedings to have the transfer set aside or obtain a settlement in the form of full payment or periodic repayments.

An amount of past due support would constitute a lien against the real and personal property of a payer, in favor of the support recipient. The bill specifies when the lien would be effective and when the FOC would have to perfect a lien; and would require the FOC to notify payers of the imposition and perfection of liens. Liens that arose in other states would have to be accorded full faith and credit if the requirements of the Act were met.

If a court found a payer in contempt for being in arrears and having the capacity to pay out of currently available resources, the court could order the payer to participate in a "work activity" (e.g., unsubsidized employment; subsidized private or public sector employment; on-the-job training; job search and job readiness assistance; community service programs; vocational educational training; or child care services for someone who was participating in a community service program).

The bill would allow a court to fine a source of income when it found that source of income in contempt for failure to comply with a withholding order for support arrearage; and would include orders of dependent health care coverage in various provisions pertaining to withholding of support payments by a payer's source of income.

MCL 552.602 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact. There is no estimate on total additional costs or a projection on total additional revenue that would result from the bill. Any new costs to local units of government that result from Federal requirements or implied Federal requirements are not State requirements under the Headlee amendment.

Date Completed: 11-24-97

Fiscal Analyst: B. Bowerman

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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.