

SENATE BILL NO. 802

November 6, 1997, Introduced by Senator GOUGEON and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 27 (MCL 552.27), as amended by 1990 PA 243.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 27. If alimony or an allowance for the support and
2 education of the children is awarded to either party, the amount
3 of the alimony or allowance ~~shall constitute~~ CONSTITUTES a lien
4 upon the real and personal estate of the adverse party as ~~the~~
5 ~~court by its judgment shall direct. In default of payment of the~~
6 ~~amount that was awarded, the~~ PROVIDED IN SECTION 25A OF THE SUP-
7 PORT AND PARENTING TIME ENFORCEMENT ACT, 1982 PA 295, MCL
8 552.65A. THE court may do 1 or more of the following IF THE
9 PARTY DEFAULTS ON THE PAYMENT OF THE AMOUNT AWARDED:

1 (a) Order the sale of the property against which the lien is
2 adjudged in the same manner and upon ~~like~~ THE SAME notice as in
3 suits for the foreclosure of mortgage liens.

4 (b) Award execution for the collection of the judgment.

5 (c) Order the sequestration of the real and personal estate
6 of either party and may appoint a receiver of the real estate or
7 personal estate, or both, and cause the personal estate and the
8 rents and profits of the real estate to be applied to the payment
9 of the judgment.

10 (d) Award a division between the husband and wife of the
11 real and personal estate of either party or of the husband and
12 wife by joint ownership or right as the court considers equitable
13 and just.