

SUBSTITUTE FOR  
HOUSE BILL NO. 4821

A bill to amend 1956 PA 205, entitled  
"The paternity act,"  
by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and  
722.729), section 1 as amended by 1998 PA 113 and section 19 as  
amended by 1983 PA 194, and by adding section 19a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. As used in this act:

2       (a) "Child born out of wedlock" means a child begotten and  
3 born to a woman who was not married from the conception to the  
4 date of birth of the child, or a child that the court has deter-  
5 mined to be a child born or conceived during a marriage but not  
6 the issue of that marriage.

7       (b) "Child" means a child born out of wedlock.

8       (c) "Mother" means the mother of a child born out of  
9 wedlock.

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1 (d) "Court" means the circuit court.

2 (E) "STATE DISBURSEMENT UNIT" OR "SDU" MEANS THE ENTITY  
3 ESTABLISHED IN SECTION 6 OF THE OFFICE OF CHILD SUPPORT ACT, 1971  
4 PA 174, MCL 400.236.

5 (F) ~~(e)~~ "Testing material" means any substance or informa-  
6 tion used for or produced by genetic paternity testing conducted  
7 under this act other than a report submitted to a court for a  
8 paternity determination.

9 Sec. 8. The court shall require the payment of ~~any sums~~  
10 MONEY to be made to the friend of the court, ~~or to the~~ clerk of  
11 the court, OR STATE DISBURSEMENT UNIT, which ~~sums~~ MONEY shall  
12 be disbursed in accordance with the order of the court, except  
13 that upon certification by a county ~~department of social~~  
14 ~~services~~ FAMILY INDEPENDENCE AGENCY that a complainant is  
15 receiving public assistance, ~~payments~~ A PAYMENT received by the  
16 friend of the court for support and education of a child born out  
17 of wedlock shall be transmitted to the ~~state department of~~  
18 ~~social services~~ FAMILY INDEPENDENCE AGENCY.

19 Sec. 19. (1) To reimburse the county for the cost of  
20 ~~handling support payments~~ ENFORCING SUPPORT OR PARENTING TIME  
21 ORDERS under this act, the court shall order the payment of \$2.00  
22 per month, payable semiannually on EACH January 2 and July 2,  
23 ~~thereafter,~~ to the friend of the court OR STATE DISBURSEMENT  
24 UNIT. The service fee shall be paid by the person ordered to pay  
25 the support money. The service fee shall be computed from the  
26 beginning date of the support order and shall continue while the  
27 support order is operative. The service fee shall be paid 6

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1 months in advance on each ~~of the~~ due ~~dates~~ DATE, except for  
2 the first payment, which shall be paid at the same time the sup-  
3 port order is filed ~~—~~, and ~~shall cover~~ COVERS the period of  
4 time from that month until the next calendar due date. ~~Every~~  
5 AN order or judgment for the payment of support money shall pro-  
6 vide for the payment of the service fee. ~~Any~~ UPON ITS OWN  
7 MOTION, THE COURT MAY AMEND AN order or judgment for the payment  
8 of support money ~~—, entered before the effective date of this~~  
9 ~~1983 amendatory act, may be amended by the court, upon its own~~  
10 ~~motion,~~ to provide for the payment of the service fee in the  
11 amount provided by this subsection, upon proper notice to the  
12 person ordered to pay the support money. The service fees shall  
13 be turned over to the county treasurer and credited to the gen-  
14 eral fund of the county.

15 (2) ~~A~~ THE COURT MAY HOLD IN CONTEMPT A person who fails or  
16 refuses to pay a service fee ordered ~~pursuant to~~ UNDER subsec-  
17 tion (1). ~~may be held in contempt of court.~~

18 SEC. 19A. THE DEPARTMENT, THE SDU, AND EACH OFFICE OF THE  
19 FRIEND OF THE COURT SHALL COOPERATE IN THE TRANSITION TO THE CEN-  
20 TRALIZED RECEIPT AND DISBURSEMENT OF SUPPORT AND FEES. AN OFFICE  
21 OF THE FRIEND OF THE COURT SHALL CONTINUE TO RECEIVE AND DISBURSE  
22 SUPPORT AND FEES THROUGH THE TRANSITION, BASED ON THE SCHEDULE  
23 DEVELOPED AS REQUIRED BY SECTION 6 OF THE OFFICE OF CHILD SUPPORT  
24 ACT, 1971 PA 174, MCL 400.236, AND MODIFICATIONS TO THAT SCHEDULE  
25 AS THE DEPARTMENT CONSIDERS NECESSARY.

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1       Enacting section 1. This amendatory act does not take  
2 effect unless House Bill No. 4816 of the 90th Legislature is  
3 enacted into law.