



# HOUSE BILL No. 6160

November 28, 2000, Introduced by Rep. Brewer and referred to the Committee on Family and Civil Law.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9948) by adding section 2971.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2971. (1) A PAYER OF CHILD SUPPORT FOR A CHILD WHO IS  
2 NOT THE PAYER'S BIOLOGICAL OR ADOPTED CHILD HAS A CAUSE OF ACTION  
3 AGAINST THE CHILD SUPPORT RECIPIENT IF THE CHILD SUPPORT PAYMENT  
4 WAS OBTAINED AS THE RESULT OF A FRAUDULENT REPRESENTATION, BY  
5 EITHER COMMISSION OR OMISSION, BY THE CHILD SUPPORT RECIPIENT  
6 THAT THE CHILD FOR WHOM THE SUPPORT IS PAID IS THE PAYER'S BIO-  
7 LOGICAL CHILD. UPON A FINDING THAT A PAYER IS PAYING CHILD SUP-  
8 PORT AS THE RESULT OF A FRAUDULENT REPRESENTATION DESCRIBED IN  
9 THIS SUBSECTION, THE COURT SHALL AWARD THE PAYER DAMAGES IN THE  
10 AMOUNT THE PAYER PAID AS CHILD SUPPORT FOR THAT CHILD.

1       (2) UPON A FINDING IN A PAYER'S FAVOR UNDER SUBSECTION (1),  
2 THAT PORTION OF A COURT ORDER ORDERING THE CHILD SUPPORT PAYMENT  
3 THAT WAS FRAUDULENTLY OBTAINED IS VOID. THIS SUBSECTION DOES NOT  
4 VOID THE PORTION OF THE AMOUNT OF A CHILD SUPPORT ORDER THAT IS  
5 NOT FOUND TO HAVE BEEN FRAUDULENTLY OBTAINED.