

Act No. 157
Public Acts of 1999
Approved by the Governor
November 3, 1999
Filed with the Secretary of State
November 3, 1999
EFFECTIVE DATE: November 3, 1999

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999**

Introduced by Reps. Law and Hart

ENROLLED HOUSE BILL No. 4821

AN ACT to amend 1956 PA 205, entitled "An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this 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:

Sec. 1. As used in this act:

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

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

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

(d) "Court" means the circuit court.

(e) "State disbursement unit" or "SDU" means the entity established in section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

(f) "Testing material" means any substance or information used for or produced by genetic paternity testing conducted under this act other than a report submitted to a court for a paternity determination.

Sec. 8. The court shall require the payment of money to be made to the friend of the court, clerk of the court, or state disbursement unit, which money shall be disbursed in accordance with the order of the court, except that upon certification by a county family independence agency that a complainant is receiving public assistance, a payment received by the friend of the court for support and education of a child born out of wedlock shall be transmitted to the family independence agency.

Sec. 19. (1) To reimburse the county for the cost of enforcing support or parenting time orders under this act, the court shall order the payment of \$2.00 per month, payable semiannually on each January 2 and July 2, to the friend of the court or state disbursement unit. The service fee shall be paid by the person ordered to pay the support money. The service fee shall be computed from the beginning date of the support order and shall continue while the support order is operative. The service fee shall be paid 6 months in advance on each due date, except for the first payment, which shall be paid at the same time the support order is filed and covers the period of time from that month until the next

calendar due date. An order or judgment for the payment of support money shall provide for the payment of the service fee. Upon its own motion, the court may amend an order or judgment for the payment of support money to provide for the payment of the service fee in the amount provided by this subsection, upon proper notice to the person ordered to pay the support money. The service fees shall be turned over to the county treasurer and credited to the general fund of the county.

(2) The court may hold in contempt a person who fails or refuses to pay a service fee ordered under subsection (1).

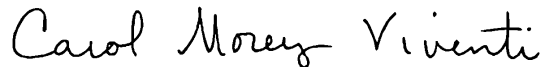
Sec. 19a. The department, the SDU, and each office of the friend of the court shall cooperate in the transition to the centralized receipt and disbursement of support and fees. An office of the friend of the court shall continue to receive and disburse support and fees through the transition, based on the schedule developed as required by section 6 of the office of child support act, 1971 PA 174, MCL 400.236, and modifications to that schedule as the department considers necessary.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.