

**CHILD SUPPORT BENCH WARRANT  
ENFORCEMENT FUND**

**House Bill 4770**  
**Sponsor: Rep. Matt Milosch**

**House Bill 4771**  
**Sponsor: Rep. Sue Tabor**

**Committee: Judiciary**  
**Complete to 6-2-03**

**A SUMMARY OF HOUSE BILLS 4770 AND 4771 AS INTRODUCED 5-28-03**

Together, the bills would establish and fund the Child Support Bench Warrant Enforcement Fund, and make other amendments. House Bill 4770 is tie-barred to House Bill 4771.

House Bill 4770 would amend the Office of Child Support Act (MCL 400.233 and 400.236a) to establish the Child Support Bench Warrant Enforcement Fund, which would be used to administer and provide grants for the enforcement of bench warrants that are associated with the collection of child support. The fund would receive fees collected under Section 2529 of the Revised Judicature Act of 1961 (as provided in House Bill 4771), in addition to any other money and assets received by the state treasurer for deposit into the fund. The state treasurer would direct investment of the fund and credit interest and earnings from the fund to the fund; any money remaining in the fund at the end of the fiscal year would not lapse into the general fund, but would remain in the fund. Money from the fund would have to be used to supplement, rather than supplant, money appropriated by the state for the functions of the Office of Child Support.

House Bill 4771 would amend the Revised Judicature Act of 1961 (MCL 600.2529) to provide funding for the Child Support Bench Warrant Enforcement Fund. Under the act, the circuit court collects a fee prior to the entry of a final judgment in an action for divorce or separate maintenance in which minor children are involved or in the entry of a final judgment in a child custody dispute submitted to the court as an original action. The bill would amend this provision so that the court would collect a fee prior to entry of a final judgment in an action for divorce or separate maintenance or in an action in which the custody, support, or parenting time of minor children is determined.

The fee is set at \$30, \$50, or \$70 based on whether the matter was submitted to domestic relations mediation or investigation by the Friend of the Court. The bill would increase the fees to \$40, \$60, or \$80, respectively. In addition, the bill would require the clerk of the circuit court to submit, at the end of each month, \$10 for each fee collected to the state treasurer for deposit into the Child Support Bench Warrant Enforcement Fund.

Further, the bill would permit the court to waive or suspend the fee if the person filing the action is a public officer (and acting in his or her official capacity). If the fee were waived or suspended, the court could require in the final judgment that one or more parties to the case pay the fee.

Analyst: M. Wolf

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.