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H.B. 4773 (S-1): FLOOR ANALYSIS

House Bill 4773 (Substitute S-1 as reported) Sponsor: Representative Paul Condino

House Committee: Judiciary

Senate Committee: Families and Human Services

CONTENT

The bill would amend the Friend of the Court (FOC) Act to do all of the following:

- -- Revise the time periods for a periodic review of a child support order from every 24 months to every 36 months.
- -- Require the FOC to initiate a review within 14 days after receiving notice of one party's incarceration or release from incarceration.
- -- Require the FOC to conduct a more frequent review of a support order upon presentation of evidence of a substantial change in circumstances as set forth in the child support quidelines.
- -- Change the procedures for initiating and conducting a review of a child support order, and modifying an order.
- -- Allow the FOC to impute income to a party who failed or refused to provide requested information, and require the FOC Bureau to develop guidelines for imputing income.
- -- Allow the FOC to schedule a joint meeting between the parties to attempt to expedite resolution of support issues in accordance with guidelines set forth in the Act and the Support and Parenting Time Enforcement Act.
- -- Allow a party to file a motion to modify support, and allow the court, upon a party's motion, to modify a child support order only upon finding a substantial change in circumstances, including health care coverage becoming newly available to a party and a change in the support level.
- -- Delete provisions under which the FOC Office must prepare a written report if it determines from the facts of the case that application of the child support formula would be unjust or inappropriate, or that income should not be based on actual income earned by the parties.
- -- Delete a requirement that members of the State Advisory Committee be members of a citizen advisory committee, but require the FOC Bureau to give preference to citizen advisory committee members.

The bill would take effect on June 30, 2005.

MCL 552.517 et al. Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on the Family Independence Agency.

The bill could decrease administrative costs for the FOC due to the proposed decrease in the frequency of required reviews and the potential ability to impute for the calculation of child support.

Date Completed: 5-20-04 Fiscal Analyst: Constance Cole

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Bill Analysis @ www.senate.michigan.gov/sfa