

SUBSTITUTE FOR
HOUSE BILL NO. 4654
(As amended March 17, 2004)

A bill to amend 1971 PA 174, entitled
"Office of child support act,"
(MCL 400.231 to 400.240) by adding section 3b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3b. (1) If an individual who is obligated to pay child
2 support has past due child support, criminal and civil penalties
3 provided by law for failing or refusing to pay the past due child
4 support may be waived as established in criteria developed
5 jointly between the office and the state court administrative
6 office upon written request of the individual and full payment of
7 the past due child support, as provided in this section.

8 (2) For a period to be designated by the office of not less
9 than [90 days], and ending before [7]
10 months after the effective date of the amendatory act that added
11 this section, there shall be an amnesty period during which the

1 office shall not enforce criminal and civil penalties provided by
2 law for failing or refusing to pay past due child support if the
3 individual who is obligated to pay child support makes a written
4 request for a waiver, and makes a payment in either a lump sum or
5 installments as provided under subsection (6).

6 (3) This section applies to the nonpayment of child support
7 previously determined to be due, but only to the extent of the
8 criminal and civil penalties on the past due child support
9 attributable to the child support that was previously due and
10 that is paid during the amnesty period provided for in subsection
11 (2).

12 (4) The office shall administer this section.

13 (5) The office shall provide notice to individuals who owe
14 past due child support who may be eligible for the amnesty
15 program at least 60 days before the start of the designated
16 amnesty period. Notification is sufficient if a description of
17 the amnesty program is included in scheduled notices and on the
18 internet.

19 (6) Under the amnesty program described in subsection (2), an
20 individual who is obligated to pay child support may pay past due
21 child support in installments if the individual submits 50% of
22 the past due child support due with the request for waiver under
23 subsection (2) and pays the remaining past due child support no
24 later than 90 days after the start of the designated amnesty
25 period.

26 (7) An individual is not eligible to participate in the child
27 support amnesty program if, before the individual seeks

House Bill No. 4654 (H-3) as amended March 17, 2004

1 participation in the amnesty program, any of the following
2 apply:

3 (a) Prosecution has been initiated under section 161, 165, or
4 167 of the Michigan penal code, 1931 PA 328, MCL 750.161,
5 750.165, and 750.167.

6 (b) The individual has been arrested on a criminal warrant
7 related to the individual's child support obligation.

8 (c) The individual has been arrested on a bench warrant
9 related to the individual's child support obligation.

[Enacting section 1. This amendatory act does not take effect
unless all of the following bills of the 92nd Legislature are enacted
into law:

(a) House Bill No. 5259.

(b) House Bill No. 5262.]