

HOUSE BILL No. 4770

May 28, 2003, Introduced by Reps. Milosch, Tabor, Condino, Lipsey, Voorhees and Vander Veen and referred to the Committee on Judiciary.

A bill to amend 1971 PA 174, entitled
"Office of child support act,"
by amending section 3 (MCL 400.233), as amended by 2002 PA 564,
and by adding section 6a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. The office shall do all of the following:

2 (a) Serve as a state agency authorized to administer
3 title IV-D.

4 (b) Assist a governmental agency or department in locating an
5 adult responsible for the child for any of the following
6 purposes:

7 (i) To establish parentage.

8 (ii) To establish, set the amount of, modify, or enforce
9 support obligations.

10 (iii) To disburse support receipts.

1 (iv) To make or enforce child custody or parenting time
2 orders.

3 (c) Coordinate activity on a state level in a search for an
4 adult responsible for the child.

5 (d) Obtain information that directly relates to the identity
6 or location of an adult responsible for the child.

7 (e) Serve as the information agency as provided in the
8 revised uniform reciprocal enforcement of support act, 1952 PA 8,
9 MCL 780.151 to 780.183, and uniform interstate family support
10 act, 1996 PA 310, MCL 552.1101 to 552.1901.

11 (f) Develop guidelines for coordinating activities of a
12 governmental department, board, commission, bureau, agency, or
13 council, or a public or private agency, in providing information
14 necessary for the location of an adult responsible for the
15 child.

16 (g) Develop, administer, and coordinate with the state and
17 federal departments of treasury a procedure for offsetting the
18 state tax refunds and federal income tax refunds of a parent who
19 is obligated to support a child and who owes past due support.
20 The procedure shall include a guideline that the office submit to
21 the state department of treasury, not later than November 15 of
22 each year, all requests for the offset of state tax refunds
23 claimed on returns filed or to be filed for that tax year.

24 (h) Develop and implement a statewide information system to
25 facilitate the establishment and enforcement of child support
26 obligations.

27 (i) Publicize through regular and frequent, nonsexist public

1 service announcements the availability of support establishment
2 and enforcement services.

3 (j) Develop and implement in cooperation with financial
4 institutions a data matching and lien and levy system to identify
5 assets of and to facilitate the collection of support from the
6 assets of individuals who have an account at a financial
7 institution and who are obligated to pay support as provided in
8 this act.

9 (k) Provide discovery and support for support enforcement
10 activities as provided in the support and parenting time
11 enforcement act, 1982 PA 295, MCL 552.601 to 552.650.

12 (l) Have in effect safeguards against the unauthorized use or
13 disclosure of case record information that are designed to
14 protect the privacy rights of the parties as specified in
15 sections 454 and ~~454a~~ **454A** of title IV-D, 42 U.S.C. 654 and
16 654a, and that are consistent with the use and disclosure
17 standards provided under section 64 of the social welfare act,
18 1939 PA 280, MCL 400.64.

19 (m) As provided in section 10 for friend of the court cases,
20 centralize administrative enforcement remedies and develop and
21 implement a centralized enforcement program to facilitate the
22 collection of support.

23 (n) Develop and administer the child support bench warrant
24 enforcement fund.

25 **Sec. 6a. (1) The child support bench warrant enforcement**
26 **fund is created in the state treasury. The fund shall be**
27 **expended only as provided under this section.**

1 (2) The fees collected under section 2529 of the revised
2 judicature act of 1961, 1961 PA 236, MCL 600.2529, shall be
3 deposited in the fund created under subsection (1).

4 (3) The state treasurer may receive money or other assets
5 from any source for deposit into the fund. The state treasurer
6 shall direct the investment of the fund. The state treasurer
7 shall credit to the fund interest and earnings from fund
8 investments.

9 (4) Money in the fund at the close of the fiscal year shall
10 remain in the fund and shall not lapse to the general fund.

11 (5) The fund shall be used to administer and provide grants
12 for activities to enforce bench warrants associated with the
13 collection of child support. Money transmitted to the state
14 treasurer under this section shall supplement and not supplant
15 other money appropriated by the state for office of child support
16 functions.

17 Enacting section 1. This amendatory act shall not take
18 effect unless Senate Bill No. _____ or House Bill No. 4771
19 (request no. 01926'03 a*) of the 92nd Legislature is enacted into
20 law.