

SENATE BILL No. 1319

June 23, 2004, Introduced by Senators VAN WOERKOM, GARCIA and BIRKHOLZ and referred to the Committee on Families and Human Services.

A bill to amend 1971 PA 174, entitled
"Office of child support act,"
by amending sections 1 and 6 (MCL 400.231 and 400.236), section 1
as amended by 2002 PA 564 and section 6 as added by 1999 PA 161.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Account" means any of the following:

3 (i) A demand deposit account.

4 (ii) A draft account.

5 (iii) A checking account.

6 (iv) A negotiable order of withdrawal account.

7 (v) A share account.

8 (vi) A savings account.

9 (vii) A time savings account.

10 (viii) A mutual fund account.

1 (ix) A securities brokerage account.

2 (x) A money market account.

3 (xi) A retail investment account.

4 **(xii) An electronic access or debit card.**

5 (b) "Account" does not mean any of the following:

6 (i) A trust.

7 (ii) An annuity.

8 (iii) A qualified individual retirement account.

9 (iv) An account covered by the employee retirement income

10 security act of 1974, Public Law 93-406, 88 Stat. 829.

11 (v) A pension or retirement plan.

12 (vi) An insurance policy.

13 (c) "Address" means the primary address shown on the records
14 of a financial institution used by the financial institution to
15 contact an account holder.

16 (d) "Adult responsible for the child" means a parent,
17 relative who has physically cared for the child, putative father,
18 or current or former guardian of a child, including an
19 emancipated or adult child.

20 (e) "Current employment" means employment within 1 year
21 before a friend of the court request for information.

22 (f) "Department" means the family independence agency.

23 (g) "Financial asset" means stock, a bond, a money market
24 fund, a deposit, an account, or a similar instrument.

25 (h) "Financial institution" means any of the following:

26 (i) A state or national bank.

27 (ii) A state or federally chartered savings and loan

1 association.

2 (iii) A state or federally chartered savings bank.

3 (iv) A state or federally chartered credit union.

4 (v) An insurance company.

5 (vi) An entity that offers any of the following to a resident
6 of this state:

7 (A) A mutual fund account.

8 (B) A securities brokerage account.

9 (C) A money market account.

10 (D) A retail investment account.

11 (vii) An entity regulated by the securities and exchange
12 commission that collects funds from the public.

13 (viii) An entity that is a member of the national association
14 of securities dealers and that collects funds from the public.

15 (ix) An entity that collects funds from the public.

16 (i) "Office" means the office of child support.

17 (j) "Friend of the court case" means that term as defined in
18 section 2 of the friend of the court act, 1982 PA 294, MCL
19 552.502. The term "friend of the court case", when used in a
20 provision of this act, is not effective until on and after the
21 effective date of section 5a of the friend of the court act, MCL
22 552.505a.

23 (k) "Payer", "recipient of support", "source of income", and
24 "support" mean those terms as defined in section 2 of the support
25 and parenting time enforcement act, 1982 PA 295, MCL 552.602.

26 (l) "State disbursement unit" or "SDU" means the entity
27 established in section 6 for centralized state receipt and

1 disbursement of support and fees.

2 (m) "Title IV-D" means part D of title IV of the social
3 security act, chapter 531, 49 Stat. 620, 42 ~~U.S.C.~~ **USC** 651 to
4 655, 656 to 657, 658a to 660, and 663 to 669b.

5 Sec. 6. (1) The state disbursement unit is established as
6 the direct responsibility of the office. The SDU shall use
7 automated procedures, electronic processes, and computer-driven
8 technology to the maximum extent feasible, efficient, and
9 economical to receive and disburse support and fees.

10 (2) The SDU is the single location to which a payer or source
11 of income subject to this section shall send a support or fee
12 payment. The SDU shall disburse a support payment to the
13 recipient of support within 2 business days after the SDU
14 receives the support payment. Not less than twice each calendar
15 month, the SDU shall disburse fees that it receives to the
16 appropriate county treasurer or office of the friend of the
17 court.

18 (3) If a payer or source of income attempts to make a support
19 or fee payment to the SDU and the payment transaction fails due
20 to nonsufficient funds, the SDU may take actions to collect from
21 the payer or source of income the support or fee payment amount,
22 plus an amount for the expense of those actions.

23 (4) **Beginning 1 year after the effective date of the**
24 **amendatory act that added this subsection, the SDU shall disburse**
25 **support electronically to either the recipient of support's**
26 **account in a financial institution or to a special account that**
27 **may be accessed by the recipient of support by an electronic**

1 access card.