



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 1128 (as introduced 4-27-06)
Sponsor: Senator Valde Garcia
Committee: Families and Human Services

Date Completed: 5-1-06

CONTENT

The bill would amend the Support and Parenting Time Enforcement Act to allow a temporary modification of a child support order if a payer were called into emergency military service that reduced his or her income. The temporary modification would have to end when the payer was discharged from active duty.

Specifically, if a payer (i.e., a person ordered by the circuit court to pay child support) who was called to emergency military service experienced a reduction in income due to the military service, that would be considered a change in circumstances sufficient to sustain a temporary modification of an existing child support obligation.

("Emergency military service" would mean that the payer was a member of a reserve unit or national guard unit called into active military duty outside the United States for a period of more than 30 days.)

Upon receiving a letter from a payer's commanding officer indicating the date that the payer commenced military service and his or her compensation in military service, the Friend of the Court would have to seek a temporary modification of an existing child support order to reflect the reduction in pay. The date the payer reported for military service would be considered the date on which the motion to modify the child support order was filed.

The payer would have to notify the Office of the Friend of the Court within 30 days of being discharged from active duty. The temporary modification of the child support order would have to be terminated on the date of discharge, and the Friend of the Court would have to seek to modify the order or reinstate the prior child support order.

Proposed MCL 552.615a

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Stephanie Yu

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