

SENATE BILL No. 1128

March 9, 2006, Introduced by Senators GARCIA, JACOBS, JELINEK, GOSCHKA, TOY and KUIPERS
and referred to the Committee on Families and Human Services.

A bill to amend 1982 PA 295, entitled
"Support and parenting time enforcement act,"
(MCL 552.601 to 552.650) by adding section 15a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 15A. (1) IF A PAYER WHO IS CALLED TO EMERGENCY MILITARY
2 SERVICE HAS A CHANGE IN INCOME DUE TO THAT MILITARY SERVICE THAT
3 RESULTS IN A REDUCTION OF INCOME, THAT CHANGE IN INCOME SHALL BE
4 CONSIDERED A CHANGE IN CIRCUMSTANCES SUFFICIENT TO SUSTAIN A
5 TEMPORARY MODIFICATION OF AN EXISTING CHILD SUPPORT OBLIGATION.

6 (2) UPON RECEIPT OF A LETTER FROM THE COMMANDING OFFICER OF A
7 PAYER IN EMERGENCY MILITARY SERVICE THAT CONTAINS THE DATE OF THE
8 COMMENCEMENT OF EMERGENCY MILITARY SERVICE AND THE COMPENSATION OF
9 THE PAYER IN EMERGENCY MILITARY SERVICE, THE FRIEND OF THE COURT
10 SHALL SEEK A TEMPORARY MODIFICATION OF THE EXISTING CHILD SUPPORT

1 ORDER TO REFLECT THAT THE PAYER'S MILITARY PAY IS LESS THAN HIS OR
2 HER CIVILIAN PAY. THE DATE THE PAYER REPORTED FOR MILITARY SERVICE
3 SHALL BE CONSIDERED THE DATE THE MOTION TO MODIFY THE CHILD SUPPORT
4 ORDER WAS FILED.

5 (3) WITHIN 30 DAYS OF DISCHARGE FROM ACTIVE MILITARY DUTY, THE
6 PAYER SHALL NOTIFY THE OFFICE OF THE FRIEND OF THE COURT. THE
7 TEMPORARY MODIFICATION OF THE CHILD SUPPORT ORDER SHALL TERMINATE
8 ON THE DATE OF DISCHARGE FROM ACTIVE MILITARY DUTY, AND THE FRIEND
9 OF THE COURT SHALL SEEK TO MODIFY THE ORDER OF INCOME WITHHOLDING
10 OR REINSTATE THE PRIOR CHILD SUPPORT ORDER.

11 (4) AS USED IN THIS SECTION, "EMERGENCY MILITARY SERVICE"
12 MEANS THAT THE PAYER IS A MEMBER OF A RESERVE UNIT OR NATIONAL
13 GUARD UNIT CALLED INTO ACTIVE MILITARY DUTY OUTSIDE THE UNITED
14 STATES FOR A PERIOD OF MORE THAN 30 DAYS.