

HOUSE BILL No. 4523

March 22, 2007, Introduced by Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1966 PA 138, entitled
"The family support act,"
by amending section 2 (MCL 552.452), as amended by 2002 PA 574.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) ~~Upon the~~ **ON** hearing ~~of the~~ **A** complaint **FILED UNDER**
2 **SECTION 1**, in the manner of a motion, the court may enter an order
3 as it determines proper for the support of the petitioner and the
4 minor child or children of the parties as prescribed in section 5
5 of the support and parenting time enforcement act, 1982 PA 295, MCL
6 552.605. The order shall provide that payment shall be made to the
7 friend of the court or the state disbursement unit. If the parent
8 complained of opposes the entry of the order upon the ground that

1 he or she is without sufficient financial ability to provide
2 necessary shelter, food, care, clothing, and other support for his
3 or her spouse and child or children, the burden of proving this
4 lack of ability is on the parent against whom the complaint is
5 made. The order shall state in separate paragraphs the amount of
6 support for the petitioner until the further order of the court,
7 and the amount of support for each child until each child reaches
8 18 years of age or until the further order of the court. Subject to
9 section 5b of the support and parenting time enforcement act, 1982
10 PA 295, MCL 552.605b, the court may also order support for the
11 child after the child reaches 18 years of age, or until the further
12 order of the court.

13 (2) A support order entered under this section is enforceable
14 as provided in the support and parenting time enforcement act, 1982
15 PA 295, MCL 552.601 to 552.650. If this act contains a specific
16 provision regarding the contents or enforcement of a child support
17 order that conflicts with a provision in the support and parenting
18 time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, this act
19 controls in regard to that provision.

20 (3) If there is no dispute regarding a child's custody, the
21 court shall include in an order for support issued under this act
22 specific provisions governing custody of and parenting time for the
23 child in accordance with the child custody act of 1970, 1970 PA 91,
24 MCL 722.21 to 722.31. If there is a dispute regarding custody of
25 and parenting time for the child, the court shall include in an
26 order for support issued under this act specific temporary
27 provisions governing custody of and parenting time for the child.

1 Pending a hearing on or other resolution of the dispute, the court
2 may refer the matter to the office of the friend of the court for a
3 written report and recommendation as provided in section 5 of the
4 friend of the court act, 1982 PA 294, MCL 552.505. In a dispute
5 regarding custody of and parenting time for a child, the
6 prosecuting attorney is not required to represent either party
7 regarding the dispute.

8 (4) AN ORDER UNDER THIS SECTION, OR ANY DOCUMENT ATTACHED TO
9 OR FILED IN THE CASE FILE WITH THE ORDER, SHALL NOT CONTAIN
10 PERSONAL IDENTIFYING INFORMATION UNLESS SPECIFICALLY REQUIRED BY
11 STATE OR FEDERAL LAW, RULE, OR REGULATION, OR BY A COURT ORDER OR
12 RULE. THIS SECTION DOES NOT AFFECT AN OBLIGATION OF A PERSON TO
13 PROVIDE PERSONAL IDENTIFYING INFORMATION TO THE FRIEND OF THE COURT
14 OR ANOTHER PERSON.

15 (5) AS USED IN THIS SECTION, "PERSONAL IDENTIFYING
16 INFORMATION" MEANS THAT TERM AS DEFINED IN SECTION 3 OF THE
17 IDENTITY THEFT PROTECTION ACT, 2004 PA 452, MCL 445.63, EXCEPT THAT
18 PERSONAL IDENTIFYING INFORMATION DOES NOT INCLUDE A PERSON'S NAME
19 OR ADDRESS.