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House Bill 5504 (Substitute S-1 as reported) Sponsor: Representative Jimmy Womack

House Committee: Families and Children's Services Senate Committee: Families and Human Services

CONTENT

The bill would amend the Revised Judicature Act (RJA) to do the following:

- -- Delete a requirement that \$10 of the fees paid in custody, support, and parenting time cases be deposited in the Child Support Bench Warrant Enforcement Fund.
- -- Increase from \$1.50 to \$3.50 the monthly fee for services that are not reimbursable under Title IV-D of the Social Security Act, and allocate the additional \$2 to the county general fund.

Under the RJA, before a final judgment or order is entered in a child custody or parenting time action, the party submitting the judgment or order must pay a fee of \$80. In a child support action, the party submitting the judgment or order must pay a fee of \$40.

For each fee collected under those provisions, the court clerk must transfer \$10 to the State Treasurer for deposit in the Child Support Bench Warrant Enforcement Fund. The bill would delete that requirement.

Also, every person required to pay support or maintenance collected by the Friend of the Court must pay a monthly fee of \$1.50, of which \$0.25 is allocated to the county treasurer. The bill would increase the fee to \$3.50, and increase the county allocation to \$2.25.

The bill is tie-barred to Senate Bills 105, 106, and 107. (Those bills would amend the divorce Act, the Paternity Act, and the Family Support Act, respectively. In addition to making other changes, the bills would eliminate provisions under which a person ordered to pay support must pay a monthly fee of \$2, which is credited to the county general fund.)

MCL 600.2137 et al. Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The \$10 allocated to the Child Support Bench Warrant Enforcement Fund annually generates approximately \$360,000 to \$380,000. While up to 10% of the Fund may be used to administer it, annual revenue has been allocated to counties. Eliminating the separate Fund allocation would streamline the collection of revenue and result in administrative savings. Also, increasing the monthly service fee from \$1.50 to \$3.50 would offset the elimination of the \$2 fee allocated to counties under the divorce Act, the Family Support Act, and the Paternity Act.

Date Completed: 12-10-09 Fiscal Analyst: Bill Bowerman