

HOUSE BILL No. 4821

June 17, 1999, Introduced by Reps. Law and Hart and referred to the Committee on Family and Children Services.

A bill to amend 1956 PA 205, entitled
"The paternity act,"
by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and
722.729), section 1 as amended by 1998 PA 113 and section 19 as
amended by 1983 PA 194.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Child born out of wedlock" means a child begotten and
3 born to a woman who was not married from the conception to the
4 date of birth of the child, or a child that the court has deter-
5 mined to be a child born or conceived during a marriage but not
6 the issue of that marriage.

7 (b) "Child" means a child born out of wedlock.

8 (c) "Mother" means the mother of a child born out of
9 wedlock.

1 (d) "Court" means the circuit court.

2 (E) "STATE DISBURSEMENT UNIT" OR "SDU" MEANS THE ENTITY
3 ESTABLISHED IN SECTION 6 OF THE OFFICE OF CHILD SUPPORT ACT, 1971
4 PA 174, MCL 400.236.

5 (F) ~~(e)~~ "Testing material" means any substance or informa-
6 tion used for or produced by genetic paternity testing conducted
7 under this act other than a report submitted to a court for a
8 paternity determination.

9 Sec. 8. The court shall require the payment of ~~any sums~~
10 MONEY to be made to the friend of the court, ~~or to the~~ clerk of
11 the court, OR STATE DISBURSEMENT UNIT, which ~~sums~~ MONEY shall
12 be disbursed in accordance with the order of the court, except
13 that upon certification by a county ~~department of social~~
14 ~~services~~ FAMILY INDEPENDENCE AGENCY that a complainant is
15 receiving public assistance, ~~payments~~ A PAYMENT received by the
16 friend of the court for support and education of a child born out
17 of wedlock shall be transmitted to the ~~state department of~~
18 ~~social services~~ FAMILY INDEPENDENCE AGENCY.

19 Sec. 19. (1) To reimburse the county for the cost of
20 ~~handling support payments~~ ENFORCING SUPPORT OR PARENTING TIME
21 ORDERS under this act, the court shall order the payment of \$2.00
22 per month, payable semiannually on EACH January 2 and July 2,
23 ~~thereafter,~~ to the friend of the court OR STATE DISBURSEMENT
24 UNIT. The service fee shall be paid by the person ordered to pay
25 the support money. The service fee shall be computed from the
26 beginning date of the support order and shall continue while the
27 support order is operative. The service fee shall be paid 6

1 months in advance on each ~~of the~~ due ~~dates~~ DATE, except for
2 the first payment, which shall be paid at the same time the sup-
3 port order is filed ~~—~~ and ~~shall cover~~ COVERS the period of
4 time from that month until the next calendar due date. ~~Every~~
5 AN order or judgment for the payment of support money shall pro-
6 vide for the payment of the service fee. ~~Any~~ UPON ITS OWN
7 MOTION, THE COURT MAY AMEND AN order or judgment for the payment
8 of support money ~~—, entered before the effective date of this~~
9 ~~1983 amendatory act, may be amended by the court, upon its own~~
10 ~~motion,~~ to provide for the payment of the service fee in the
11 amount provided by this subsection, upon proper notice to the
12 person ordered to pay the support money. The service fees shall
13 be turned over to the county treasurer and credited to the gen-
14 eral fund of the county.

15 (2) ~~A~~ THE COURT MAY HOLD IN CONTEMPT A person who fails or
16 refuses to pay a service fee ordered ~~pursuant to~~ UNDER subsec-
17 tion (1). ~~may be held in contempt of court.~~

18 Enacting section 1. This amendatory act does not take
19 effect unless Senate Bill No. _____ or House Bill No. _____
20 (request no. 03398'99) of the 90th Legislature is enacted into
21 law.