

# SENATE BILL No. 1415

September 21, 2004, Introduced by Senators GARCIA, PRUSI, ALLEN, HARDIMAN, JACOBS and BIRKHOLZ 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  
2 military service has a change in income due to that military  
3 service that results in a reduction of income, that change in  
4 income shall be considered a change in circumstances resulting in  
5 a modification of a prior income withholding order or judgment  
6 for child support.

7       (2) Upon receipt of a notarized letter from the commanding  
8 officer of a payer in emergency military service that contains  
9 the date of the commencement of emergency military service and  
10 the compensation of the payer in emergency military service, the  
11 friend of the court shall take appropriate action to seek

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1 modification of the order of income withholding by the same  
2 proportion that the payer's military pay is less than his or her  
3 civilian pay. The modification shall be retroactive to the date  
4 the payer reported for the emergency military service and shall  
5 continue until the payer returns from the emergency military  
6 service.

7 (3) Upon return from emergency military service, the payer  
8 shall notify the office of the friend of the court who shall take  
9 appropriate action to seek modification of the order of income  
10 withholding.

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.