

Act No. 357
Public Acts of 2012
Approved by the Governor
December 12, 2012
Filed with the Secretary of State
December 13, 2012

EFFECTIVE DATE: 91st day after final adjournment of 2012 Regular Session

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senators Caswell, Hansen, Pappageorge, Green, Jansen and Colbeck

ENROLLED SENATE BILL No. 1001

AN ACT to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 23 (MCL 552.623), as amended by 1998 PA 334.

The People of the State of Michigan enact:

Sec. 23. (1) A source of income shall not use a notice of income withholding as a basis for refusing to employ, discharging, taking disciplinary action against, or imposing a penalty against a payer. A source of income who refuses to employ, discharges, disciplines, or penalizes a payer in violation of this section is guilty of a misdemeanor, punishable by a fine of not more than \$500.00, and shall be required to make full restitution to the aggrieved payer, including reinstatement and back pay.

(2) A source of income shall not use the suspension, as provided for in this act, of an occupational license, driver's license, or recreational or sporting license as the basis for refusing to employ, discharging, taking disciplinary action against, or imposing a penalty against a payer unless the suspended license is legally required for the payer's performance of the job. This act does not prevent a source of income from refusing to employ or discharging an individual whose occupational license, driver's license, or recreational or sporting license is suspended if that license is a necessary predicate to engage in that occupation, vocation, or profession.

(3) A source of income may charge and collect from a payer a fee in response to a notice of income withholding as follows:

(a) If a source of income submits income withholding payments by electronic means, the source of income may charge the payer a fee of \$1.00 each time the source of income withholds payment from the payer, but not to exceed \$2.00 per month.

(b) If a source of income submits income withholding payments by other than electronic means, the source of income may charge the payer a fee of \$2.00 each time the source of income withholds payment from the payer, but not to exceed \$4.00 per month.

(4) The fee authorized in subsection (3) shall be collected separately and apart from the income withheld for child support.

(5) Charging or collecting a fee under subsection (3) is not a violation of subsection (1).

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor