

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 526

A bill to amend 1982 PA 295, entitled  
"Support and parenting time enforcement act,"  
by amending section 5d (MCL 552.605d), as amended by 2009 PA 193.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5d. (1) On and after June 1, 2003, each support order the  
2 court enters or modifies shall include substantially the following  
3 provisions:

4           (a) If a child for whom support is payable under the order is  
5 under the state's jurisdiction and is placed in foster care, that  
6 support payable under the order is assigned to the department.

7           (b) If a child for whom support is payable under the order is  
8 under court jurisdiction and is placed in county-funded foster  
9 care, that support payable under the order is assigned to the

1 funding county.

2 (c) For a friend of the court case, substantially the  
3 following statements:

4 (i) "The office of the friend of the court may consider the  
5 person ~~legally responsible for~~ **WHO IS PROVIDING** the actual care,  
6 support, and maintenance of a child for whom support is ordered as  
7 the recipient of support for the child and may redirect support  
8 paid for that child to that recipient of support, subject to the  
9 procedures prescribed in section 5d of the support and parenting  
10 time enforcement act, 1982 PA 295, MCL 552.605d."

11 (ii) "If the payer resides full-time with a child for whom  
12 support is payable under this order, support for that child abates  
13 in accordance with policies established by the state friend of the  
14 court bureau and subject to the procedures prescribed in section 5d  
15 of the support and parenting time enforcement act, 1982 PA 295, MCL  
16 552.605d."

17 (2) In a friend of the court case, a support order that was  
18 entered before June 1, 2003 ~~shall be~~ **IS** considered to include, by  
19 operation of law, the provisions stated in subsection (1).

20 (3) If a child for whom support is payable under a support  
21 order is under the state's jurisdiction and is placed in foster  
22 care, support payable under the order is assigned to the  
23 department. If the child is placed in county-funded foster care,  
24 the support payable under the order is assigned to the funding  
25 county. An assignment of support ~~to the department~~ as required by  
26 this subsection has priority over a redirection of support  
27 authorized by this section.

1           (4) Subject to subsection (5), for a friend of the court case,  
2 the office of the friend of the court may consider the person  
3 ~~legally responsible for~~ **WHO IS PROVIDING** the actual care, support,  
4 and maintenance of a child for whom support is ordered as the  
5 recipient of support for the child and may redirect support paid  
6 for that child to that recipient of support. Subject to subsection  
7 (5), the office of the friend of the court shall abate support  
8 under a support order that is payable as support for a child who  
9 resides full-time with the payer, in accordance with policies  
10 established by the state friend of the court bureau.

11           (5) A party to a support order may object to redirection or  
12 abatement of support under this section. Support shall not be  
13 redirected or abated under this section until 21 days after the  
14 office of the friend of the court notifies each party of the  
15 proposed action, ~~advising the party of the~~ **AND EACH PARTY'S** right  
16 to object. If a party objects within 21 days after the  
17 notification, support shall not be redirected or abated under this  
18 section. After an objection, the office of the friend of the court  
19 shall review the support order under section 17 of the friend of  
20 the court act, MCL ~~522.517,~~ **552.517**, or shall notify each party  
21 that the party may file a motion to modify support.

22           (6) The state friend of the court bureau may implement  
23 policies to assist offices of the friend of the court in  
24 determining when an office of the friend of the court should give  
25 notice of a proposed redirection or abatement of support under this  
26 section.

27           Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.