



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 587

Sponsor: Senator Robert Geake

Committee: Families, Mental Health and Human Services

Date Completed: 10-25-95

SUMMARY OF SENATE BILL 587 as introduced 6-15-95:

The bill would amend the Michigan Penal Code to make it a felony for someone to fail or refuse to report income or to misrepresent income if judicially required to report for a determination of child support payments. The offense would be punishable by imprisonment for up to four years and/or a maximum fine of \$2,500.

Specifically, an individual who was required by the court to report his or her income to the court or to an individual or entity designated by the court for determining child support payments, could not do either of the following:

- Fail or refuse to report his or her income to the court or to that individual or entity.
- Knowingly misrepresent his or her income to the court or to that individual or entity.

“Income” would mean that term as defined in the Support and Visitation Enforcement Act (i.e., commissions, earnings, salaries, wages, and other income due or to be due in the future from a support payer’s employer and successor employers; any payment due or to be due in the future from a profit-sharing plan, pension plan, insurance contract, annuity, social security, unemployment compensation, supplemental unemployment benefits, and workers’ compensation; and any amount of money that is due to the payer under a support order as a debt of any other individual, partnership, association, or private or public corporation, the United States or any Federal agency, this State or any political subdivision of this State, any other state or a political subdivision of another state, or any other legal entity that is indebted to the payer).

Proposed MCL 750.145d

Legislative Analyst: S. Margules

FISCAL IMPACT

There are no data available on the number of parents who misrepresent their income; however, any person found guilty of that crime would under the bill be charged with a felony, which would require criminal proceedings against him or her. The cost to the court would depend on the number of individuals who were found guilty of misrepresenting their income times the cost of each felony proceeding. The cost of a felony proceeding depends on the length of time it takes to dispose of the case. This cost can range from \$400 to \$2,300 per case.

The bill could result in increased costs to the Department of Corrections depending on the number of additional felony convictions and prison sanctions. An increase in five annual prison commitments, with average minimum sentences of one year, could increase costs ranging from \$50,000 to \$75,000 annually.

Fiscal Analyst: M. Bain
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.