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BILL



ANALYSIS

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House Bill 5634 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Representative Robert DeMars

House Committee: Judiciary and Civil Rights

Senate Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Support and Parenting Time Act to incorporate provisions that would be deleted from other acts by House Bills 5629 (H-2) to 5633 (H-2). The bill, therefore, would require a court to order child support based upon the child support formula developed by the Friend of the Court Bureau; allow deviations from the child support formula; require parents to maintain health care coverage for their minor children; and establish conditions under which parents could be ordered to provide child support for children over 18 years of age.

In addition, the bill specifies that if an order governing custody of a child prescribed a primary residence for the child with one parent and had parenting time provisions for the other parent, the order would have to provide that the parent living with the child in the primary residence could not move to a location more than 75 miles from the child's residence at the time of the commencement of the action in which the order was issued. The plan also would have to state that the restriction would not apply if the parent with the right to parenting time consented to the change of residence or the court permitted the move after considering various factors specified in the bill.

The bill also would add the Paternity Act to the list of applicable laws under which the circuit court may take enforcement action, and provides that if there were conflicts between the Support and Parenting Time Enforcement Act and any other acts concerning the contents or enforcement of a support order, the other act would control.

The bill would take effect January 1, 1997.

The bill is tie-barred to House Bills 5629-5633, which would amend various acts to delete provisions that would be consolidated in House Bill 5634, and to House Bill 5636. House Bill 5636 (S-4) would provide for parenting plans in child custody cases and create a presumption of shared parental responsibility.

MCL 552.627 et al.

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-6-96

Fiscal Analyst: M. Ortiz

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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.