



HOUSE BILL No. 4497

March 1, 1995, Introduced by Reps. Bullard, Dobb, Bush, Oxender, Hammerstrom, Gernaat, Curtis, Voorhees, Brackenridge, Pitoniak, Goschka, Dalman, DeLange and Martinez and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 9 of Act No. 295 of the Public Acts of 1982, entitled as amended

"Support and visitation enforcement act,"

as amended by Act No. 210 of the Public Acts of 1985, being section 552.609 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 9 of Act No. 295 of the Public Acts of
2 1982, as amended by Act No. 210 of the Public Acts of 1985, being
3 section 552.609 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 9. (1) An order of income withholding entered under
6 this act shall be served on sources of income as provided in sec-
7 tion 11. The order shall direct sources of income to withhold
8 from income due the payer and to pay to the office of the friend
9 of the court for the judicial circuit in which the order was

1 entered an amount sufficient to meet the payments ordered for
2 support and service fees, and to defray arrearages in payments
3 and service fees due at the time the order of income withholding
4 takes effect. The order shall also direct that the amount with-
5 held shall not exceed the amount allowed under section ~~303(b)~~
6 303 of title III of the consumer credit protection act, Public
7 Law 90-321, 15 U.S.C. ~~1673(b)~~ 1673. The order shall be accom-
8 panied by a notice containing a statement of the requirements of
9 sections 11, 11a, 12, 13, 14, ~~21,~~ and 23. The order shall also
10 direct that any income withheld under the order shall be paid to
11 the office of the friend of the court within 3 days after the
12 date of the withholding.

13 (2) IF AN ORDER OF INCOME WITHHOLDING ENTERED UNDER THIS ACT
14 IS AN ORDER TO WITHHOLD CHILD SUPPORT, THE ORDER SHALL DIRECT THE
15 DEPARTMENT OF TREASURY TO SEND TO THE OFFICE OF THE FRIEND OF THE
16 COURT, WITHIN 30 DAYS AFTER THE DATE ON WHICH THE RETURN OR
17 APPLICATION IS FILED, EACH STATE INCOME TAX RETURN OR APPLICATION
18 FOR EXTENSION TO FILE THAT THE PAYER AND THE CHILD'S CUSTODIAL
19 PARENT ARE REQUIRED TO FILE, AFTER THE DATE THE ORDER IS ISSUED,
20 UNDER THE INCOME TAX ACT OF 1967, ACT NO. 281 OF THE PUBLIC ACTS
21 OF 1967, BEING SECTIONS 206.1 TO 206.532 OF THE MICHIGAN COMPILED
22 LAWS.