

HOUSE BILL No. 5050

July 24, 2007, Introduced by Reps. Stakoe, Meekhof, Byrnes, Ball, Hammon, Moolenaar, Walker, Caul, Robertson, Bieda, Nofs and Caswell and referred to the Committee on Families and Children's Services.

A bill to amend 1982 PA 295, entitled
"Support and parenting time enforcement act,"
by amending section 5a (MCL 552.605a), as amended by 2002 PA 572,
and by adding section 27a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5a. (1) For a friend of the court case, a child support
2 order entered or modified by the court shall provide that each
3 party shall keep the office of the friend of the court informed of
4 ~~both~~ **ALL** of the following:

5 (a) The name and address of his or her current source of
6 income.

7 (b) Health care coverage that is available to him or her as a

benefit of employment or that is maintained by him or her; the name of the insurance company, nonprofit health care corporation, or health maintenance organization; the policy, certificate, or contract number; and the names and birth dates of the persons for whose benefit he or she maintains health care coverage under the policy, certificate, or contract.

(C) IF HE OR SHE DOES NOT HAVE A SOURCE OF INCOME, THE NAME AND ADDRESS OF EACH FINANCIAL INSTITUTION WITH WHICH HE OR SHE MAINTAINS AN ACCOUNT AND THE NATURE AND ACCOUNT NUMBER OF EACH ACCOUNT.

(2) If a child support order is entered, the court shall require that 1 or both parents obtain or maintain health care coverage that is available to them at a reasonable cost, as a benefit of employment, for the benefit of the minor children of the parties and, subject to section 5b, for the benefit of the parties' children who are not minor children. If a parent is self-employed and maintains health care coverage, the court shall require the parent to obtain or maintain dependent coverage for the benefit of the minor children of the parties and, subject to section 5b, for the benefit of the parties' children who are not minor children, if available at a reasonable cost.

(3) A court may require either parent to file a bond with 1 or more sufficient sureties, ~~in a sum to be fixed~~ **AN AMOUNT REQUIRED** by the court, guaranteeing payment of child support.

SEC. 27A. (1) IN A FRIEND OF THE COURT CASE, IF AN ARREARAGE HAS ACCRUED IN AN AMOUNT GREATER THAN THE AMOUNT OF PERIODIC SUPPORT PAYMENTS PAYABLE FOR 2 MONTHS UNDER THE PAYER'S SUPPORT

1 ORDER, THE OFFICE OF THE FRIEND OF THE COURT MAY REQUEST A
2 FINANCIAL INSTITUTION THAT THE PAYER HAS IDENTIFIED UNDER SECTION
3 5A(1)(C) TO PROVIDE, AND THE FINANCIAL INSTITUTION SHALL PROVIDE,
4 ALL OF THE FOLLOWING INFORMATION TO THE OFFICE OF THE FRIEND OF THE
5 COURT:

6 (A) WHETHER THE PAYER HAS AN ACCOUNT WITH THE FINANCIAL
7 INSTITUTION.

8 (B) WHETHER ANOTHER PERSON HAS AN OWNERSHIP INTEREST IN THE
9 ACCOUNT AND, IF SO, THE OWNERSHIP INTEREST OF THE PAYER.

10 (C) THE AMOUNT OF MONEY IN THE ACCOUNT.

11 (2) THE FRIEND OF THE COURT OR HIS OR HER DESIGNEE MAY ISSUE
12 AN ADMINISTRATIVE SUBPOENA TO REQUIRE A FINANCIAL INSTITUTION TO
13 FURNISH THE INFORMATION DESCRIBED IN SUBSECTION (1). THE FINANCIAL
14 INSTITUTION SHALL FURNISH THE INFORMATION WITHIN 15 DAYS AFTER THE
15 SUBPOENA IS RECEIVED BY THE FINANCIAL INSTITUTION.

16 (3) THE OFFICE OF THE FRIEND OF THE COURT SHALL KEEP
17 INFORMATION OBTAINED UNDER THIS SECTION CONFIDENTIAL AND NOT USE OR
18 RELEASE IT EXCEPT FOR THE PURPOSES OF ADMINISTERING, ENFORCING, AND
19 COMPLYING WITH STATE AND FEDERAL LAWS GOVERNING CHILD SUPPORT.

20 (4) THE OFFICE OF THE FRIEND OF THE COURT SHALL PROVIDE A COPY
21 OF INFORMATION PROVIDED UNDER THIS SECTION TO THE PAYER ON HIS OR
22 HER REQUEST.

23 (5) IF INFORMATION IS NOT PROVIDED TO THE OFFICE OF THE FRIEND
24 OF THE COURT IN RESPONSE TO A REQUEST OR SUBPOENA UNDER THIS
25 SECTION, THE FRIEND OF THE COURT OR HIS OR HER DESIGNEE MAY
26 PETITION THE CIRCUIT COURT IN THE COUNTY IN WHICH THE INQUIRY IS
27 BEING MADE TO REQUIRE THE PRODUCTION OF DOCUMENTS OR OTHER THINGS.

1 THE CIRCUIT COURT MAY ISSUE AN ORDER REQUIRING THE FINANCIAL
2 INSTITUTION TO APPEAR BY AN OFFICER, EMPLOYEE, OR AGENT AND TO
3 PRODUCE DOCUMENTS OR OTHER THINGS.