



SENATE BILL No. 173

January 26, 1993, Introduced by Senator BOUCHARD and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend sections 10 and 23 of Act No. 295 of the Public Acts of 1982, entitled as amended "Support and visitation enforcement act," section 23 as amended by Act No. 210 of the Public Acts of 1985, being sections 552.610 and 552.623 of the Michigan Compiled Laws; and to add section 26.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 10 and 23 of Act No. 295 of the Public
2 Acts of 1982, section 23 as amended by Act No. 210 of the Public
3 Acts of 1985, being sections 552.610 and 552.623 of the Michigan
4 Compiled Laws, are amended and section 26 is added to read as
5 follows:

6 Sec. 10. (1) The payer shall give to the office of the
7 friend of the court at the time the order of income withholding
8 is issued the name and address of his or her employer. The payer

1 shall immediately give to the office of the friend of the court
2 notice of the name and address of any subsequent employer.

3 (2) THE PAYER SHALL GIVE TO THE OFFICE OF THE FRIEND OF THE
4 COURT AT THE TIME AN ORDER OF INCOME WITHHOLDING OR SUPPORT ORDER
5 IS ISSUED INFORMATION REGARDING THE HOLDING OF ANY OCCUPATIONAL
6 LICENSE, REGISTRATION, OR CERTIFICATE ISSUED BY THE STATE OF
7 MICHIGAN AS WELL AS ANY VEHICLE REGISTERED BY OR OPERATOR'S OR
8 CHAUFFEUR'S LICENSE ISSUED TO THE PAYER UNDER THE MICHIGAN VEHI-
9 CLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF 1949, BEING
10 SECTIONS 257.1 TO 257.923 OF THE MICHIGAN COMPILED LAWS. THE
11 PAYER SHALL IMMEDIATELY GIVE THE OFFICE OF THE FRIEND OF THE
12 COURT NOTICE OF ANY CHANGE IN HIS OR HER STATUS AS AN INDIVIDUAL
13 WHOSE OCCUPATION IS LICENSED, REGISTERED, CERTIFICATED, OR OTHER-
14 WISE REGULATED BY THE STATE OF MICHIGAN.

15 Sec. 23. (1) The source of income shall not use an order of
16 income withholding as a basis for refusing to employ, discharg-
17 ing, or taking any disciplinary action or imposing any penalty
18 against a payer. HOWEVER, IF AN OCCUPATIONAL LICENSE, REGISTRA-
19 TION, OR CERTIFICATE IS A NECESSARY PREDICATE FOR THE ENGAGING IN
20 ANY OCCUPATION, A SOURCE OF INCOME MAY REFUSE TO EMPLOY A PAYER
21 WHOSE OCCUPATIONAL LICENSE, REGISTRATION, OR CERTIFICATE HAS BEEN
22 SUSPENDED PURSUANT TO SECTION 26.

23 (2) A source of income who refuses to employ, discharges,
24 disciplines, or penalizes a payer in violation of this section is
25 guilty of a misdemeanor, punishable by a fine of not more than
26 \$500.00, and shall be required to make full restitution to the
27 aggrieved payer, including reinstatement and back pay.

1 SEC. 26. (1) IN THE CASE OF A PAYER SUBJECT TO A SUPPORT
2 ORDER WHO IS AT LEAST 3 MONTHS IN ARREARS OF SUPPORT AND WHO IS
3 DETERMINED BY THE OFFICE OF THE FRIEND OF THE COURT TO BE THE
4 HOLDER OF AN OCCUPATIONAL LICENSE, REGISTRATION, OR CERTIFICATE
5 ISSUED BY THE STATE OF MICHIGAN, THE OFFICE OF THE FRIEND OF THE
6 COURT SHALL SEND A NOTICE OF ARREARAGE TO THE STATE BOARD,
7 AGENCY, OR DEPARTMENT HAVING REGULATORY AUTHORITY AND SHALL
8 REQUEST THAT A HEARING BE HELD REGARDING THE IMPOSITION OF A
9 SANCTION AGAINST THE LICENSE, REGISTRATION, OR CERTIFICATE OF THE
10 PAYER.

11 (2) THE OFFICE OF THE FRIEND OF THE COURT SHALL NOTIFY THE
12 SECRETARY OF STATE OF A DETERMINATION OF ARREARAGE UNDER THIS ACT
13 AND SHALL REQUEST THAT THE PERSON'S OPERATOR'S OR CHAUFFEUR'S
14 LICENSE BE SUSPENDED AND THAT ANY VEHICLE NOT BE ISSUED A REGIS-
15 TRATION OR THAT A VEHICLE REGISTRATION NOT BE TRANSFERRED UNTIL
16 THE OFFICE OF THE FRIEND OF THE COURT NOTIFIES THE SECRETARY OF
17 STATE THAT THE ARREARAGE IS PAID OR THAT A REPAYMENT SCHEDULE IS
18 IN EFFECT.

19 Section 2. This amendatory act shall not take effect unless
20 all of the following bills of the 87th Legislature are enacted
21 into law:

22 (a) Senate Bill No. 174.

23

24 (b) Senate Bill No. 175.

25

26 (c) Senate Bill No. 176.

27

- 1 (d) Senate Bill No. 177.
2
3 (e) Senate Bill No. 178.
4
5 (f) Senate Bill No. 179.
6
7 (g) Senate Bill No. 180.
8
9 (h) Senate Bill No. 181.
10
11 (i) Senate Bill No. 182.
12
13 (j) Senate Bill No. 183.
14
15 (k) Senate Bill No. 184.
16
17 (l) Senate Bill No. 185.
18
19 (m) Senate Bill No. 186.
20
21 (n) Senate Bill No. 190.
22