

HOUSE BILL No. 6313

September 17, 2002, Introduced by Rep. Wojno and referred to the Committee on Family and Children Services.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 165 (MCL 750.165), as amended by 1999
PA 152.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 165. (1) If the court orders an individual to pay sup-
2 port for the individual's former or current spouse, or for a
3 child of the individual, and the individual does not pay the sup-
4 port in the amount or at the time stated in the order, the indi-
5 vidual is guilty of a felony punishable by imprisonment for not
6 more than 4 years or by a fine of not more than \$2,000.00, or
7 both.

8 (2) This section does not apply unless the individual
9 ordered to pay support appeared in, or received notice by

1 personal service of, the action in which the support order was
2 issued.

3 (3) The court may suspend the sentence of an individual con-
4 victed under this section if the individual files with the court
5 a bond in the amount and with the sureties the court requires.
6 At a minimum, the bond must be conditioned on the individual's
7 compliance with the support order. If the court suspends a sen-
8 tence under this subsection and the individual does not comply
9 with the support order or another condition on the bond, the
10 court may order the individual to appear and show cause why the
11 court should not impose the sentence and enforce the bond. After
12 the hearing, the court may enforce the bond or impose the sen-
13 tence, or both, or may permit the filing of a new bond and again
14 suspend the sentence. The court shall order a support amount
15 enforced under this section to be paid to the clerk or friend of
16 the ~~court~~ CHILD or to the state disbursement unit.

17 (4) As used in this section, "state disbursement unit" or
18 "SDU" means the entity established in section 6 of the office of
19 child support act, 1971 PA 174, MCL 400.236.

20 Enacting section 1. This amendatory act does not take
21 effect unless Senate Bill No. _____ or House Bill No. 6317
22 (request no. 07684'02) of the 91st Legislature is enacted into
23 law.