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**SFA****BILL ANALYSIS**

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Senate Bill 288 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator Joel D. Gougeon

Committee: Families, Mental Health and Human Services

## **CONTENT**

The bill would amend the Support and Parenting Time Enforcement Act to incorporate provisions that would be deleted from other acts by Senate Bills 289 through 293. 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; establish accepted reasons for deviating from the child support formula; require parents to maintain health care coverage for their minor children; and establish the conditions under which parents could be ordered to provide child support for children over 18 years of age.

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.

In addition, if a child custody order prescribed a primary residence for the child with one parent and had parenting time provisions for the other parent, the order also would have to prescribe that the parent living with the child could not change residence to a location more than two hours round-trip by motor vehicle from the child's residence at the time of the commencement of the custody action in which the order was issued. The change of residence restriction would not apply, however, if the parent with the right to parenting time consented to the move or the court permitted the change of residence after considering 1) whether the prospective move had the capacity to improve the quality of life for both the custodial parent and the child; 2) whether the move was inspired by the custodial parent's desire to defeat or frustrate parenting time by the other parent and whether the custodial parent was likely to comply with the substitute parenting time orders if he or she no longer resided within the area of the court's circuit; 3) the extent to which the noncustodial parent, in resisting the move, was motivated by the desire to secure a financial advantage with respect to a continuing support obligation; and, 4) the degree to which, if the residence change were permitted, the court was satisfied that there would be a realistic opportunity for parenting time, instead of the current parenting time schedule, that could provide an adequate basis for preserving and fostering the parental relationship with the noncustodial parent.

The bill is tie-barred to Senate Bills 289 through 293.

MCL 555.627 et al.

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

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

Date Completed: 4-30-97

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.