

# HOUSE BILL No. 6701

November 30, 2006, Introduced by Reps. Virgil Smith and Bieda and referred to the Committee on Judiciary.

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 5 (MCL 552.605), as added by 2001 PA 106.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5. (1) If a court orders the payment of child support  
2 under this or another act of the state, this section applies to  
3 that order.

4           (2) Except as otherwise provided in this section, the court  
5 shall order child support in an amount determined by application of  
6 the child support formula developed ~~by the state friend of the~~  
7 ~~court bureau as required in section 19 of the friend of the court~~  
8 ~~act, MCL 552.519~~ **PURSUANT TO THE CHILD SUPPORT FORMULA COMMISSION**  
9 **ACT.** The court may enter an order that deviates from the formula if  
10 the court determines from the facts of the case that application of

1 the child support formula would be unjust or inappropriate and sets  
2 forth in writing or on the record all of the following:

3 (a) The child support amount determined by application of the  
4 child support formula.

5 (b) How the child support order deviates from the child  
6 support formula.

7 (c) The value of property or other support awarded instead of  
8 the payment of child support, if applicable.

9 (d) The reasons why application of the child support formula  
10 would be unjust or inappropriate in the case.

11 (3) Subsection (2) does not prohibit the court from entering a  
12 child support order that is agreed to by the parties and that  
13 deviates from the child support formula, if the requirements of  
14 subsection (2) are met.

15 Enacting section 1. This amendatory act does not take effect  
16 unless all of the following bills of the 93rd Legislature are  
17 enacted into law:

18 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 6698 (request no.  
19 03402'05).

20 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 6699 (request no.  
21 03402'05 a).