

UNIFORM INTERSTATE FAMILY SUPPORT ACT (EXCERPT)

Act 310 of 1996

ARTICLE VIII

552.1801 "Governor" defined; authority; extradition.

Sec. 801. (1) For purposes of this article, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this act.

(2) This state's governor may do any of the following:

(a) Demand that another state's governor surrender an individual found in the other state who is charged criminally in this state with having failed to provide for an obligee's support.

(b) On the demand by another state's governor, surrender an individual found in this state who is charged criminally in the other state with having failed to provide for an obligee's support.

(3) A provision for an individual's extradition not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled from that state.

History: 1996, Act 310, Eff. June 1, 1997.

552.1803 Individual charged criminally with failing to provide support; surrender.

Sec. 803. (1) Before making demand that another state's governor surrender an individual charged criminally in this state with having failed to provide for an obligee's support, this state's governor may require a prosecutor of this state to demonstrate that at least 60 days previously the obligee had initiated proceedings for support as provided in this act or that the proceeding would be of no avail.

(2) If under a support enforcement act, another state's governor makes a demand that this state's governor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the governor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective, but has not been initiated, the governor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(3) If a proceeding for support is initiated and the individual whose surrender is demanded prevails, the governor may decline to honor the demand. If the petitioner prevails and the individual whose surrender is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

History: 1996, Act 310, Eff. June 1, 1997.