

**SUPPORT AND PARENTING TIME ENFORCEMENT ACT (EXCERPT)**

**Act 295 of 1982**

\*\*\*\*\* 552.623.amended *THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2012 REGULAR SESSION SINE DIE* \*\*\*\*\*

**552.623.amended Using order of income withholding as basis for refusing to employ, discharging, disciplining, or penalizing payer prohibited; violation as misdemeanor; penalty; restitution; use of occupational, driver's, or recreational or sporting license as basis; exception; fee.**

Sec. 23. (1) A source of income shall not use a notice of income withholding as a basis for refusing to employ, discharging, taking disciplinary action against, or imposing a penalty against a payer. A source of income who refuses to employ, discharges, disciplines, or penalizes a payer in violation of this section is guilty of a misdemeanor, punishable by a fine of not more than \$500.00, and shall be required to make full restitution to the aggrieved payer, including reinstatement and back pay.

(2) A source of income shall not use the suspension, as provided for in this act, of an occupational license, driver's license, or recreational or sporting license as the basis for refusing to employ, discharging, taking disciplinary action against, or imposing a penalty against a payer unless the suspended license is legally required for the payer's performance of the job. This act does not prevent a source of income from refusing to employ or discharging an individual whose occupational license, driver's license, or recreational or sporting license is suspended if that license is a necessary predicate to engage in that occupation, vocation, or profession.

(3) A source of income may charge and collect from a payer a fee in response to a notice of income withholding as follows:

(a) If a source of income submits income withholding payments by electronic means, the source of income may charge the payer a fee of \$1.00 each time the source of income withholds payment from the payer, but not to exceed \$2.00 per month.

(b) If a source of income submits income withholding payments by other than electronic means, the source of income may charge the payer a fee of \$2.00 each time the source of income withholds payment from the payer, but not to exceed \$4.00 per month.

(4) The fee authorized in subsection (3) shall be collected separately and apart from the income withheld for child support.

(5) Charging or collecting a fee under subsection (3) is not a violation of subsection (1).

**History:** 1982, Act 295, Eff. July 1, 1983;—Am. 1985, Act 210, Eff. Mar. 1, 1986;—Am. 1996, Act 235, Eff. Jan. 1, 1997;—Am. 1996, Act 239, Eff. Jan. 1, 1997;—Am. 1998, Act 334, Imd. Eff. Aug. 10, 1998;—Am. 2012, Act 357, Eff. (sine die).