

**Report on Public Policy Position****Name of section:**

Family Law Section

**Contact person:**

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[HB 5940](#) (Genetski) Human services; food assistance; assistance to noncustodial individuals with child support arrearage; prohibit. Amends [1939 PA 280](#) (MCL [400.1](#) - [400.119b](#)) by adding sec. 14k.

**Date position was adopted:**

April 10, 2010

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

16 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

HB 5940 would disqualify noncustodial parents from receiving food stamps if they had any child support arrearage. This would be somewhat counterproductive. It would make it harder for these parents to pay their support because they would need to spend more money to be able to eat. Many “non-custodial” parents are caring for their children for extended periods of time, and this bill would starve the children that the bill is presumably trying to help. Arrearages can be created when an increase in child support is retroactive. Punishing parents for arrearages may be inflicting punishment on blameless parents. The Family Law Section opposes this bill.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2010-HB-5940>