

BILL ANALYSIS

C.S.H.B. 556

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Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the court does not require that a custodial parent establish a separate child support account to receive payments from the non-custodial parent. There is some concern that the money is spent on things other than support of the child. C.S.H.B.556 authorizes the court, on request, to order a sworn accounting of the expenditure of child support payments if the total child support obligation exceeds \$750 per month.

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 154, Family Code, by adding Section 154.0041, which authorizes a court, on request of a party to a child support order and for good cause shown, to order an accounting of the expenditure of child support payments if the total child support obligation exceeds \$750 per month. The party must give a sworn account of the expenditures of child support payments. If, after a hearing, the court finds that child support payments are not being used for the benefit of the child, the court may order the obligee to open up a child support account with a financial institution solely for the receipt and use of child support payments.

SECTION 2. This Act takes effect September 1, 2003. (b) If the Title IV-D agency implements an electronic benefits transfer system under Section 234.011, Family Code, a Title IV-D case in which an electronic benefits transfer is used is exempt from Section 154.0041, Family Code, as added by this Act.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B.556 modifies the original H.B.556 by authorizing the court, on request, to order a sworn accounting of the expenditure of child support payments if the total child support obligation exceeds \$750 per month.

