BILL ANALYSIS

DIGEST AND PURPOSE

Income withholding has become the primary tool for collecting child support and is currently mandated in all cases. Currently, the Title IV-D agency is the only governmental entity with authority to issue administrative writs of withholding. Some believe that such use of this enforcement tool should be extended to domestic relations officers. H.B. 2137 extends the issuance of an administrative writ of withholding to domestic relations officers to assist more children in receiving entitled financial support.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter F, Chapter 158, Family Code, to read as follows:

> SUBCHAPTER F. ADMINISTRATIVE WRIT OF WITHHOLDING

SECTION 2. Amends the heading to Section 158.501, Family Code, to read as follows:

> Sec. 158.501. ISSUANCE OF ADMINISTRATIVE WRIT OF WITHHOLDING.

SECTION 3. Amends Section 158.501, Family Code, by amending Subsection (b) and adding Subsection (d), as follows:

> (b) Provides that except as provided by Subsection (d), the Title IV-D agency is the only entity that may issue an administrative writ under this subchapter.

> (d) Authorizes a domestic relations office to issue an administrative writ of withholding under this chapter in a proceeding in which the office is providing child support enforcement services. Provides that a reference in this subchapter to the Title IV-D agency includes a domestic relations office, except that the writ must be in the form prescribed by the Title IV-D agency under Section 158.504.

SECTION 4. Amends Section 203.004(a), Family Code, to authorize a domestic relations office to perform certain acts, including issuing an administrative writ of withholding under Subchapter F, Chapter 158.

SECTION 5. Effective date: September 1, 2003.