

BILL ANALYSIS

H.B. 2481
By: Uresti
Juvenile Justice & Family Issues
Committee Report (Amended)

BACKGROUND AND PURPOSE

Current law permits a judge to consider all military pay for purposes of spousal maintenance and child support.

House Bill 2481 would simply eliminate the consideration of hostile fire or imminent danger pay, overseas basic allowance for housing pay, and family separation basic allowance pay for purposes of awarding spousal maintenance and child support.

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 Section 8.055, Family Code, by adding Subsection (e) to provide that a spouse's monthly gross income does not include any hostile fire or imminent danger pay, the overseas basic allowance for housing, or the family separation basic allowance for housing received by a member of the United States Armed Forces.

SECTION 2. Amends Section 154.062(c), Family Code, by providing that resources for determining child support liability do not include hostile fire or imminent danger pay, the overseas basic allowance for housing, or the family separation basic allowance for housing received by a member of the United States armed forces.

SECTION 3. (a) This Act takes effect September 1, 2003, and applies to an order for child support or spousal maintenance rendered on or after that date. (b) Transition clause.

EFFECTIVE DATE

September 1, 2003.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1 changes Subsection ("d") to ("e").