

## **BILL ANALYSIS**

C.S.H.B. 2652  
By: Brown, Fred  
Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, a non-custodial parent is only obligated to provide child support to the custodial parent so long as the child is fully enrolled in an accredited secondary school. No provision currently exists to include children enrolled in an unaccredited private school or home school.

C.S.H.B.2652 would amend Section 151.001(b) of the Family Code, to broaden the duty of a non-custodial parent to support his or her child while the child is an unemancipated minor fully enrolled in either an accredited secondary school or an unaccredited private school, including a home school.

This legislation will also ensure that a non-custodial parent is not able to use the educational choice of a custodial parent to evade parental responsibility and child support payments.

### **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 151.001 (b), Family Code, by adding the words, "or an unaccredited private school, including a home school,"

**SECTION 2.** This Act takes effect September 1, 2003.

### **EFFECTIVE DATE**

September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B.2652 modifies the original H.B.2652 by preserving the provision that a parent must support his or her child while the child is an unemancipated minor as long as the child is fully enrolled in an accredited secondary school. C.S.H.B.2652 also adds new language to include an unaccredited private school, including a home school.

The original version of H.B.2652 simply struck the work "accredited" in an effort to include all types of secondary schools whether they were public, private, accredited, unaccredited or home schools.