

## **BILL ANALYSIS**

H.B. 2776  
By: Hughes  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Section 157.318 of the Family Code deals with the duration of child support liens. The current structure of the statute is not clear with respect to the expiration of the lien. Under the current system, a lien may last indefinitely and, in some cases, pass down to the heirs of the holder.

House Bill 2776 would amend the Family Code to provide for clarification on the duration of liens.

### **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 157.318(a), Family Code, to provide that a lien is effective until the earlier of the date: (1) all current support and child support arrearages, including interest and any costs and reasonable attorney's fees, have been paid; (2) the lien is otherwise released as provided by this subchapter; or (3) the 20th anniversary of the date the notice of lien is recorded.

**SECTION 2.** (a) This Act takes effect September 1, 2003. (b) The change in law made by this Act applies to a lien for child support arrearages that is recorded by a county clerk before, on, or after the effective date of the Act.

### **EFFECTIVE DATE**

September 1, 2003.