

1-1 By: Goodman (Senate Sponsor - Harris) H.B. No. 234
1-2 (In the Senate - Received from the House March 19, 2003;
1-3 March 26, 2003, read first time and referred to Committee on
1-4 Jurisprudence; April 24, 2003, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; April 24, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the payment of support for a child after the child's
1-9 18th birthday.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 154.002(a), Family Code, is amended to
1-12 read as follows:

1-13 (a) The [~~If the child is fully enrolled in an accredited~~
1-14 ~~secondary school in a program leading toward a high school diploma~~
1-15 ~~or enrolled in courses for joint high school and junior college~~
1-16 ~~credit pursuant to Section 130.008, Education Code, the~~] court may
1-17 render an original support order, or modify an existing order,
1-18 providing child support past the 18th birthday of the child to be
1-19 paid only if the child is:

1-20 (1) enrolled:

1-21 (A) under Chapter 25, Education Code, in an
1-22 accredited secondary school in a program leading toward a high
1-23 school diploma;

1-24 (B) under Section 130.008, Education Code, in
1-25 courses for joint high school and junior college credit; or

1-26 (C) on a full-time basis in a private secondary
1-27 school in a program leading toward a high school diploma; and

1-28 (2) complying with:

1-29 (A) the minimum attendance requirements of
1-30 Subchapter C, Chapter 25, Education Code; or

1-31 (B) the minimum attendance requirements imposed
1-32 by the school in which the child is enrolled, if the child is
1-33 enrolled in a private secondary school.

1-34 SECTION 2. Section 154.006(a), Family Code, is amended to
1-35 read as follows:

1-36 (a) Unless otherwise agreed in writing or expressly
1-37 provided in the order or as provided by Subsection (b), the child
1-38 support order terminates on:

1-39 (1) the marriage of the child;

1-40 (2) the [7] removal of the child's disabilities for
1-41 general purposes;

1-42 (3) the [~~7~~] death of:

1-43 (A) the child; or

1-44 (B) a parent ordered to pay child support; or

1-45 (4) a finding by a court that the child:

1-46 (A) is 18 years of age or older; and

1-47 (B) has failed to comply with the enrollment or
1-48 attendance requirements described by Section 154.002(a).

1-49 SECTION 3. (a) This Act takes effect September 1, 2003.

1-50 (b) The change in law made by this Act applies only to a
1-51 court order or portion of a decree that provides for the support of
1-52 a child rendered or modified on or after the effective date of this
1-53 Act. An order or decree rendered or modified before the effective
1-54 date of this Act is governed by the law in effect on the date the
1-55 order or decree was rendered or modified, and the former law is
1-56 continued in effect for that purpose.

1-57 * * * * *