

By: Dutton, et al.

H.B. No. 886

A BILL TO BE ENTITLED

AN ACT

relating to attorney's fees in a proceeding to enforce an order for the possession of or access to a child.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 157.167, Family Code, is amended to read as follows:

Sec. 157.167. RESPONDENT TO PAY ATTORNEY'S FEES AND COSTS.

(a) If the court finds that the respondent has failed to make child support payments, the court shall order the respondent to pay the movant's reasonable attorney's fees and all court costs in addition to the arrearages.

(b) If the court finds that the respondent has failed to comply with the terms of an order providing for the possession of or access to a child, the court shall order the respondent to pay the movant's reasonable attorney's fees and all court costs in addition to any other remedy.

(c) For good cause shown, the court may waive the requirement that the respondent pay attorney's fees and costs if the court states the reasons supporting that finding.

(d) ~~[(c)]~~ Fees and costs ordered under Subsection (a) ~~[this section]~~ may be enforced by any means available for the enforcement of child support, including contempt.

SECTION 2. This Act takes effect September 1, 2003, and applies only to an enforcement order rendered on or after that date.

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1 An enforcement order rendered before the effective date of this Act
2 is governed by the law in effect on the date the order was rendered,
3 and the former law is continued in effect for that purpose.