

By: Thompson

H.B. No. 2137

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of an administrative writ of withholding
3 for the enforcement of a child support obligation.

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

5 SECTION 1. The heading to Subchapter F, Chapter 158, Family
6 Code, is amended to read as follows:

7 SUBCHAPTER F. ADMINISTRATIVE WRIT OF WITHHOLDING

8 [~~IN TITLE IV-D CASES~~]

9 SECTION 2. The heading to Section 158.501, Family Code, is
10 amended to read as follows:

11 Sec. 158.501. ISSUANCE OF ADMINISTRATIVE WRIT OF
12 WITHHOLDING [~~BY TITLE IV-D AGENCY~~].

13 SECTION 3. Section 158.501, Family Code, is amended by
14 amending Subsection (b) and adding Subsection (d) to read as
15 follows:

16 (b) Except as provided by Subsection (d), the [The] Title
17 IV-D agency is the only entity that may issue an administrative writ
18 under this subchapter.

19 (d) A domestic relations office may issue an administrative
20 writ of withholding under this chapter in a proceeding in which the
21 office is providing child support enforcement services. A
22 reference in this subchapter to the Title IV-D agency includes a
23 domestic relations office, except that the writ must be in the form
24 prescribed by the Title IV-D agency under Section 158.504.

1 SECTION 4. Section 203.004(a), Family Code, is amended to
2 read as follows:

3 (a) A domestic relations office may:

4 (1) collect and disburse child support payments that
5 are ordered by a court to be paid through a domestic relations
6 registry;

7 (2) maintain records of payments and disbursements
8 made under Subdivision (1);

9 (3) file a suit, including a suit to:

10 (A) establish paternity;

11 (B) enforce a court order for child support or
12 for possession of and access to a child; and

13 (C) modify or clarify an existing child support
14 order;

15 (4) provide an informal forum in which:

16 (A) mediation is used to resolve disputes in an
17 action under Subdivision (3); or

18 (B) an agreed repayment schedule for delinquent
19 child support is negotiated as an alternative to filing a suit to
20 enforce a court order for child support under Subdivision (3);

21 (5) prepare a court-ordered social study;

22 (6) represent a child as guardian ad litem in a suit in
23 which:

24 (A) termination of the parent-child relationship
25 is sought; or

26 (B) conservatorship of or access to a child is
27 contested;

- 1 (7) serve as a friend of the court;
- 2 (8) provide predivorce counseling ordered by a court;
- 3 (9) provide community supervision services under
4 Chapter 157;
- 5 (10) provide information to assist a party in
6 understanding, complying with, or enforcing the party's duties and
7 obligations under Subdivision (3); ~~and~~
- 8 (11) provide, directly or through a contract,
9 visitation services, including supervision of court-ordered
10 visitation, visitation exchange, or other similar services; and
- 11 (12) issue an administrative writ of withholding under
12 Subchapter F, Chapter 158.

13 SECTION 5. This Act takes effect September 1, 2003.