

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.