

By: Uresti

H.B. No. 2481

A BILL TO BE ENTITLED

1 AN ACT

2 relating to excluding certain income in calculating child support  
3 and spousal maintenance.

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

5 SECTION 1. Section 8.055, Family Code, is amended by adding  
6 Subsection (d) to read as follows:

7 (d) A spouse's monthly gross income does not include any  
8 hostile fire or imminent danger pay, the overseas basic allowance  
9 for housing, or the family separation basic allowance for housing  
10 received by a member of the United States armed forces.

11 SECTION 2. Section 154.062(c), Family Code, is amended to  
12 read as follows:

13 (c) Resources do not include:

14 (1) return of principal or capital;

15 (2) accounts receivable; ~~or~~

16 (3) benefits paid in accordance with aid for families  
17 with dependent children; or

18 (4) hostile fire or imminent danger pay, the overseas  
19 basic allowance for housing, or the family separation basic  
20 allowance for housing received by a member of the United States  
21 armed forces.

22 SECTION 3. (a) This Act takes effect September 1, 2003, and  
23 applies to an order for child support or spousal maintenance  
24 rendered on or after that date. An order rendered before the

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

4 (b) The change in law made by this Act does not by itself  
5 constitute a material and substantial change of circumstances under  
6 Section 156.401, Family Code, sufficient to warrant modification of  
7 a court order or a portion of a decree that provides for the support  
8 of a child rendered before the effective date of this Act.

