

By: Goodman

H.B. No. 2588

Substitute the following for H.B. No. 2588:

By: Morrison

C.S.H.B. No. 2588

A BILL TO BE ENTITLED

AN ACT

relating to certain fees and costs that may be collected by the Title IV-D agency.

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

SECTION 1. The heading to Section 231.103, Family Code, is amended to read as follows:

Sec. 231.103. APPLICATION AND SERVICE FEES [~~FEES~~].

SECTION 2. Section 231.103, Family Code, is amended by amending Subsection (a) and adding Subsections (d)-(h) to read as follows:

(a) The Title IV-D agency may:

(1) charge a reasonable application fee;

(2) charge a \$25 annual service fee; and

(3) to the extent permitted by federal law, recover costs for the services provided in a Title IV-D case.

(d) The Title IV-D agency may only charge an annual service fee in a Title IV-D case if the recipient of Title IV-D services has never received public assistance under Part A of Title IV of the federal Social Security Act (42 U.S.C. Section 601 et seq.) and the recipient receives more than \$500 in support payments in a year. The annual service fee may only be deducted from support payments that exceed \$500 annually.

(e) The Title IV-D agency may impose and collect a fee as authorized by federal law for each request for parent locator

1 services under Section 231.101(a).

2 (f) The state disbursement unit established and operated by
3 the Title IV-D agency under Chapter 234 may collect a monthly
4 service fee of \$3 deducted from support payments in a case for which
5 the Title IV-D agency is not providing services.

6 (g) The Title IV-D agency by rule shall establish procedures
7 for the imposition of fees and recovery of costs authorized under
8 this section.

9 (h) The attorney general child support application and
10 service fee account is an account in the general revenue fund in the
11 state treasury. The account consists of all fees and costs
12 collected under this section. The Title IV-D agency may only use
13 the money in the account for agency program expenditures.

14 SECTION 3. Section 234.008, Family Code, is amended by
15 amending Subsection (a) and adding Subsection (c) to read as
16 follows:

17 (a) Except as provided by Subsection (c), not ~~[Not]~~ later
18 than the second business day after the date the state disbursement
19 unit receives a child support payment, the state disbursement unit
20 shall distribute the payment to the Title IV-D agency or the
21 obligee.

22 (c) In a case in which a service fee is authorized under
23 Section 231.103(d), the state disbursement unit shall deduct the
24 amount of the fee from the support payment before the payment is
25 disbursed to the obligee.

26 SECTION 4. (a) This Act takes effect September 1, 2003.

27 (b) The Title IV-D agency may not collect the \$25 annual

1 service fee authorized by Section 231.103, Family Code, as amended
2 by this Act, before January 1, 2004.

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