

By: Goodman

H.B. No. 2588

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Title IV-D agency.

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

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

Sec. 231.103. APPLICATION AND SERVICE FEES [~~FEES~~]. (a) The Title IV-D agency may charge a reasonable application fee, a \$25 annual service fee, and, to the extent permitted by federal law, recover costs for the services provided in cases enforced by the agency.

(b) An application fee may not be charged in a case in which the Title IV-D agency provides services because the family receives public assistance and [~~(c) An application fee~~] may not exceed a maximum amount established by federal law.

(c) The annual service fee may be charged only in Title IV-D cases opened upon application in which support payments exceed \$500 in a year and may be taken only from support payments in excess of \$500 collected in a year.

(d) The Title IV-D agency may impose and collect a fee as authorized by federal law for each request for parent locator services under Section 231.101(a).

(e) The state disbursement unit established and operated by the Title IV-D agency under Chapter 234 may collect a monthly service fee of \$3.00 from support payments in cases not being

1 enforced by the agency.

2 (f) The Title IV-D agency by rule shall establish procedures
3 for the imposition of fees and cost recovery authorized under this
4 section.

5 (g) Fees and recovered costs authorized under this section
6 shall be available to the Title IV-D agency in addition to, and
7 apart from any appropriations of the legislature and shall be used
8 only for agency program expenditures eligible for federal matching
9 funds. To the extent the fees and recovered costs authorized under
10 this section are not made available to the Title IV-D agency in
11 addition to, and apart from any appropriations of the legislature,
12 the Title IV-D agency may not impose and collect such fees or
13 recover costs.

14 SECTION 2. (a) Except as provided under (b), this Act is
15 effective September 1, 2003.

16 (b) The \$25 annual service fee authorized by this Act is
17 effective January 1, 2004.

18 (c) The enactment of this Act does not by itself constitute
19 a material and substantial change of circumstances sufficient to
20 warrant modification of a court order or portion of a decree that
21 provides for the support of or possession of or access to a child
22 entered before the effective date of this Act.