

## **BILL ANALYSIS**

C.S.H.B. 81  
By: Riddle  
Government Reform  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, someone who owes money in back-child support might have unclaimed property with the comptroller's office that is immune to seizure by the attorney general. In some cases, the amount of money or property that has defaulted to the comptroller's office might be significant. HB 81 would allow the comptroller's office to release to the attorney general's office (or the lienholder) certain unclaimed property which belongs to a person against whom a child-support lien has been levied. Payment may not exceed the amount of arrearages owed to the lienholder.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Subsections (e) and (f), Section 74.501, Property Code, as follows:

(e) Provides that Subsection (f) is an exception to the list of persons who may not be paid a claim by the comptroller's office.

(f) States that the comptroller may approve a claim for unclaimed property to the holder of a child support lien as repayment for outstanding child support arrearages.

SECTION 2. Applies to Section 74.501, Property Code, on or after the effective date of this Act.

SECTION 3. Effective date: immediately if this bill receives a two-thirds vote in each house, or September 1, 2005.

### **EFFECTIVE DATE**

Immediately upon a two-thirds vote in each house, or September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 81 substitutes language that simplifies the process by which a lien holder can make a claim for unclaimed property as repayment for outstanding child support. Specifically, the language specifies that the claim may be submitted by either the lien holder or the attorney general's office, and simplifies the process further by stating that the lien must comply with Section 157.313 of the Family Code.