

By: Riddle

H.B. No. 81

A BILL TO BE ENTITLED

1 AN ACT

2 relating to release by the comptroller of unclaimed property
3 subject to a child support lien.

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

5 SECTION 1. Section 74.501, Property Code, is amended by
6 amending Subsection (e) and adding Subsection (f) to read as
7 follows:

8 (e) Except as provided by Subsection (f), the ~~[The]~~
9 comptroller may not pay to the following persons a claim to which
10 this section applies:

11 (1) a creditor, a judgment creditor, a lienholder, or
12 an assignee of the reported owner or of the owner's heirs; or

13 (2) a person holding a power of attorney from the
14 reported owner or the owner's heirs.

15 (f) The comptroller may approve a claim for child support
16 arrearages owed by the reported owner of the property and reflected
17 in a child support lien notice that complies with Section 157.313,
18 Family Code. A claim under this subsection may be submitted by the
19 lienholder or the attorney general on behalf of the lienholder.

20 SECTION 2. The change in law made by this Act applies only
21 to a claim filed under Section 74.501, Property Code, on or after
22 the effective date of this Act. A claim filed under that section
23 before the effective date of this Act is governed by the law in
24 effect immediately before the effective date of this Act, and that

1 law is continued in effect for that purpose.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2005.