

By: Riddle

H.B. No. 81

Substitute the following for H.B. No. 81:

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C.S.H.B. No. 81

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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