

By: Goodman

H.B. No. 248

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amendment of certain qualified domestic relations
3 orders.

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

5 SECTION 1. Subchapter B, Chapter 9, Family Code, is amended
6 by adding Section 9.1045 to read as follows:

7 Sec. 9.1045. AMENDMENT OF QUALIFIED DOMESTIC RELATIONS
8 ORDER. (a) A court that renders a qualified domestic relations
9 order retains continuing, exclusive jurisdiction to amend the order
10 to correct the order or clarify the terms of the order to effectuate
11 the division of property ordered by the court.

12 (b) An amended domestic relations order under this section
13 must be submitted to the plan administrator or other person acting
14 in an equivalent capacity to determine whether the amended order
15 satisfies the requirements of a qualified domestic relations order.
16 Section 9.104 applies to a domestic relations order amended under
17 this section.

18 SECTION 2. The change in law made by this Act applies to a
19 qualified domestic relations order issued before, on, or after the
20 effective date of this Act.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.