

1-1 By: Goodman (Senate Sponsor - Harris) H.B. No. 248
1-2 (In the Senate - Received from the House April 19, 2005;
1-3 April 21, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 13, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the amendment of certain qualified domestic relations
1-9 orders.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 9, Family Code, is amended
1-12 by adding Section 9.1045 to read as follows:

1-13 Sec. 9.1045. AMENDMENT OF QUALIFIED DOMESTIC RELATIONS
1-14 ORDER. (a) A court that renders a qualified domestic relations
1-15 order retains continuing, exclusive jurisdiction to amend the order
1-16 to correct the order or clarify the terms of the order to effectuate
1-17 the division of property ordered by the court.

1-18 (b) An amended domestic relations order under this section
1-19 must be submitted to the plan administrator or other person acting
1-20 in an equivalent capacity to determine whether the amended order
1-21 satisfies the requirements of a qualified domestic relations order.
1-22 Section 9.104 applies to a domestic relations order amended under
1-23 this section.

1-24 SECTION 2. The change in law made by this Act applies to a
1-25 qualified domestic relations order issued before, on, or after the
1-26 effective date of this Act.

1-27 SECTION 3. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2005.

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