

1-1 By: Goodman, et al. (Senate Sponsor - Harris) H.B. No. 678
1-2 (In the Senate - Received from the House April 20, 2005;
1-3 April 21, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 5, 2005, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 5, 2005, sent to printer.)

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

1-8 relating to the accrual of interest on overdue child support.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 157.265, Family Code, is amended by
1-11 adding Subsections (d)-(f) to read as follows:

1-12 (d) Subsection (a) applies to a child support payment that
1-13 becomes due on or after January 1, 2002.

1-14 (e) Child support arrearages in existence on January 1,
1-15 2002, that were not confirmed and reduced to a money judgment on or
1-16 before that date accrue interest as follows:

1-17 (1) before January 1, 2002, the arrearages are subject
1-18 to the interest rate that applied to the arrearages before that
1-19 date; and

1-20 (2) on and after January 1, 2002, the cumulative total
1-21 of arrearages and interest accumulated on those arrearages
1-22 described by Subdivision (1) is subject to Subsection (a).

1-23 (f) Subsections (b) and (c) apply to a money judgment for
1-24 child support rendered on or after January 1, 2002. A money
1-25 judgment for child support rendered before that date is governed by
1-26 the law in effect on the date the judgment was rendered, and the
1-27 former law is continued in effect for that purpose.

1-28 SECTION 2. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2005.

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