

AN ACT

relating to distribution of certain child support payments by the state disbursement unit.

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

SECTION 1. Section 234.008, Family Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) Except as provided by Subsection (c) or (d), not later than the second business day after the date the state disbursement unit receives a child support payment, the state disbursement unit shall distribute the payment to the Title IV-D agency or the obligee.

(d) Subject to Subsection (e), the signature of an obligee on a final order in a suit affecting the parent-child relationship, or another order under this title, that designates an individual or entity for the purpose of receiving, disbursing, and monitoring child support payments constitutes written consent by the obligee to the distribution of the child support payments by the state disbursement unit to the designated individual or entity. The state disbursement unit shall distribute each child support payment to the designated individual or entity by the date required by Subsection (a). The designated individual or entity shall deduct any amount of the individual's or entity's authorized fee from the payment and promptly disburse the remainder of the amount to the

1 Title IV-D agency or obligee.

2 (e) If the Title IV-D agency is notified by the Federal
3 Office of Child Support Enforcement that Subsection (d) results in
4 the Title IV-D agency's failure to meet the requirements of 42
5 U.S.C. Sections 654a(e) and 654b related to the establishment and
6 operation of the state case registry and state disbursement unit,
7 Subsection (d) is null and void and the Title IV-D agency shall
8 publish in the Texas Register notice that Subsection (d) is not
9 effective.

10 SECTION 2. Section 234.008, Family Code, as amended by this
11 Act, applies to a payment distributed by the state disbursement
12 unit on or after the effective date of this Act. A payment
13 distributed before that date is governed by the law in effect on the
14 date the payment is distributed, and the former law is continued in
15 effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 1238 was passed by the House on May 11, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1238 on May 27, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1238 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor