

By: Raymond

H.B. No. 2354

A BILL TO BE ENTITLED

AN ACT

relating to the application of certain social security and disability payments to a child who is the subject of a child support order.

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

SECTION 1. Section 157.263, Family Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) In confirming the amount of arrearages owed by an obligor whose child receives disability or social security payments as a result of the obligor's disability or receipt of social security old age benefits, the court shall:

(1) determine the degree to which the amount of the payments received by the child have previously been used to reduce the amount the obligor would otherwise be required to pay for the support of the child; and

(2) grant a credit to the obligor in the amount by which the total amount of payments received by the child exceeds the amount described by Subdivision (1).

SECTION 2. Section 157.263, Family Code, as amended by this Act, applies to a judgment rendered on or after the effective date of this Act. A judgment rendered before the effective date of this Act is governed by the law in effect at the time the judgment was rendered, and the former law is continued in effect for that purpose.

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