

By: Van de Putte

S.B. No. 1715

A BILL TO BE ENTITLED

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AN ACT

relating to mandatory jail time for certain child support obligors who fail or refuse to pay child support.

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

SECTION 1. Section 157.164, Family Code, is amended to read as follows:

Sec. 157.165. PROBATION OF CONTEMPT ORDER. (a) Except as provided by Subsection (b), the [The] court may place the respondent on community supervision and suspend commitment if the court finds that the respondent is in contempt of court for failure or refusal to obey an order rendered as provided in this title.

(b) If the court finds that the respondent is in contempt of court for failure or refusal to pay child support under an order rendered under this title and that the respondent has previously been found in contempt of court for failure or refusal to pay child support under an order rendered under this title, the court may order suspension of commitment of the respondent and place the respondent on community supervision only if the respondent has been confined in jail for at least 40 consecutive hours.

SECTION 2. The change in law made by this Act applies only to a proceeding for enforcement of a child support order that is commenced on or after the effective date of this Act. A proceeding for enforcement that is commenced before the effective date of this Act is governed by the law in effect on the date the proceeding was

1 commenced, and the former law is continued in effect for that
2 purpose.

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