

By: Dutton

H.B. No. 781

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a credit against arrearages for child support payments
3 made by the obligor directly to the obligee.

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

5 SECTION 1. Subchapter F, Chapter 157, Family Code, is
6 amended by adding Section 157.2631 to read as follows:

7 Sec. 157.2631. CREDIT FOR DIRECT PAYMENTS. (a) In this
8 section, "direct payment" means a child support payment that is not
9 made through the state disbursement unit or another similar
10 intermediary, but instead is made by the obligor directly to the
11 obligee.

12 (b) In confirming the amount of child support arrearages and
13 rendering a cumulative money judgment under this subchapter, the
14 court shall grant a credit to the obligor equal to the amount of any
15 direct payments made by the obligor and acknowledged by the obligee
16 in an affidavit executed by the obligee and filed with the court.

17 (c) This section is not intended to alter the requirement
18 prescribed by Section 154.004 that the court order the payment of
19 child support to the state disbursement unit as provided by Chapter
20 234.

21 SECTION 2. Section 157.2631, Family Code, as added by this
22 Act, applies to a judgment rendered on or after the effective date
23 of this Act. A judgment rendered before the effective date of this
24 Act is governed by the law in effect at the time the judgment was

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

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2007.