

By: Corte

H.B. No. 983

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the application of certain disability payments to a  
3 child who is the subject of a child support order.

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

5 SECTION 1. Section 154.132, Family Code, is amended to read  
6 as follows:

7 Sec. 154.132. APPLICATION OF GUIDELINES TO CHILDREN OF  
8 CERTAIN DISABLED OBLIGORS. (a) In applying the child support  
9 guidelines for an obligor who has a disability and who is required  
10 to pay support for a child who receives benefits as a result of the  
11 obligor's disability, the court shall apply the guidelines by  
12 determining the amount of child support that would be ordered under  
13 the child support guidelines and subtracting from that total the  
14 amount of benefits or the value of the benefits paid to or for the  
15 child as a result of the obligor's disability.

16 (b) In addition to the adjustment described by Subsection  
17 (a), if the child receiving benefits also receives a lump-sum  
18 payment as a result of the obligor's disability, the obligor is  
19 entitled to a credit equal to the amount of the lump-sum payment  
20 against any child support arrearage and interest owed by the  
21 obligor on behalf of that child at the time the lump-sum payment is  
22 made to the child. To the extent of any conflict between this  
23 subsection and Subchapter F, Chapter 157, this subsection prevails.

24 SECTION 2. Section 154.132(b), Family Code, as added by

1 this Act, applies only to a money judgment for child support  
2 arrearages that is rendered on or after the effective date of this  
3 Act. A money judgment for child support arrearages rendered before  
4 that date is governed by the law in effect on the date that the  
5 judgment was rendered, and the former law is continued in effect for  
6 that purpose.

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