

By: Dutton

H.B. No. 1575

Substitute the following for H.B. No. 1575:

By: Eiland

C.S.H.B. No. 1575

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of a domestic relations office.

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

SECTION 1. Section 203.004(a), Family Code, is amended to read as follows:

(a) A domestic relations office may:

(1) collect and disburse child support payments that are ordered by a court to be paid through a domestic relations registry;

(2) maintain records of payments and disbursements made under Subdivision (1);

(3) file a suit, including a suit to:

(A) establish paternity;

(B) enforce a court order for child support or for possession of and access to a child; and

(C) modify or clarify an existing child support order;

(4) provide an informal forum in which alternative dispute resolution [~~+~~

~~[(A) mediation]~~ is used to resolve disputes [~~in an action]~~ under this code [~~Subdivision (3); or~~

~~[(B) an agreed repayment schedule for delinquent child support is negotiated as an alternative to filing a suit to enforce a court order for child support under Subdivision (3)]~~];

(5) prepare a court-ordered social study under Chapter 107;

(6) represent a child as an amicus attorney, an attorney ad litem, or a guardian ad litem in a suit in which:

(A) termination of the parent-child relationship is sought; or

(B) conservatorship of or access to a child is contested;

(7) serve as a friend of the court;

(8) provide predivorce counseling ordered by a court;

(9) provide community supervision services under Chapter 157;

(10) provide information to assist a party in understanding, complying with, or enforcing the party's duties and obligations under Subdivision (3);

(11) provide, directly or through a contract, visitation services, including supervision of court-ordered visitation, visitation exchange, or other similar services; ~~and~~

(12) issue an administrative writ of withholding under Subchapter F, Chapter 158; and

(13) provide parenting coordinator services under Chapter 153.

SECTION 2. Section 203.005(a), Family Code, is amended to read as follows:

(a) The administering entity may authorize a domestic relations office to assess and collect:

(1) an initial operations fee not to exceed \$15 to be

1 paid to the domestic relations office on the filing of a suit;

2 (2) in a county that has a child support enforcement
3 cooperative agreement with the Title IV-D agency, an initial child
4 support service fee not to exceed \$36 to be paid to the domestic
5 relations office on the filing of a suit;

6 (3) a reasonable application fee to be paid by an
7 applicant requesting services from the office;

8 (4) a reasonable attorney's fee and court costs
9 incurred or ordered by the court;

10 (5) a monthly service fee not to exceed \$3 to be paid
11 annually in advance by a managing conservator and possessory
12 conservator for whom the domestic relations office provides child
13 support services;

14 (6) community supervision fees as provided by Chapter
15 157 if community supervision officers are employed by the domestic
16 relations office;

17 (7) a reasonable fee for preparation of a
18 court-ordered social study;

19 (8) in a county that provides visitation services
20 under Sections 153.014 and 203.004 a reasonable fee to be paid to
21 the domestic relations office at the time the visitation services
22 are provided; ~~and~~

23 (9) a fee to reimburse the domestic relations office
24 for a fee required to be paid under Section 158.503(d) for filing an
25 administrative writ of withholding;

26 (10) a reasonable fee for parenting coordinator
27 services; and

1 (11) a reasonable fee for alternative dispute
2 resolution services.

3 SECTION 3. Sections 203.007(a) and (b), Family Code, are
4 amended to read as follows:

5 (a) A domestic relations office may obtain the records
6 described by Subsections (b), (c), (d), and (e) that relate to a
7 person who has:

- 8 (1) been ordered to pay child support;
9 (2) been designated as a [~~possessory~~] conservator [~~or~~
10 ~~managing conservator~~] of a child;
11 (3) been designated to be the father of a child; [~~or~~]
12 (4) executed an acknowledgment of paternity;
13 (5) court-ordered possession of a child; or
14 (6) filed suit to adopt a child.

15 (b) A domestic relations office is entitled to obtain from
16 the Department of Public Safety records that relate to:

- 17 (1) a person's date of birth;
18 (2) a person's most recent address;
19 (3) a person's current driver's license status;
20 (4) motor vehicle accidents involving a person; [~~and~~]
21 (5) reported traffic-law violations of which a person
22 has been convicted; and
23 (6) a person's criminal history record information.

24 SECTION 4. Section 411.1285(a), Government Code, is amended
25 to read as follows:

26 (a) A domestic relations office created under Chapter 203,
27 Family Code, is entitled to obtain from the department criminal

1 history record information that relates to a person who is a party
2 to a proceeding in which the domestic relations office has been:

3 (1) appointed guardian ad litem for a child; ~~[or]~~

4 (2) ordered to conduct a social study under Subchapter
5 D, Chapter 107, Family Code; or

6 (3) requested to enforce a court order for possession
7 of and access to a child as provided by Section 203.004(a)(3)(B),
8 Family Code.

9 SECTION 5. This Act takes effect September 1, 2007.