

SENATE AMENDMENTS

2nd Printing

By: Dutton

H.B. No. 779

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal of certain enforcement actions alleging the failure to pay child support.

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

SECTION 1. Section 157.162, Family Code, is amended by adding Subsection (d) to read as follows:

(d) The court may not find a respondent in contempt of court for failure to pay child support if the respondent appears at the hearing with a copy of the payment record or other evidence satisfactory to the court showing that the respondent is current in the payment of child support.

SECTION 2. The change in law made by this Act applies to a hearing to enforce an order in a suit affecting the parent-child relationship that commences on or after the effective date of this Act. A hearing before the effective date of this Act is governed by the law in effect on the date the hearing commenced, and the former law is continued in effect for that purpose.

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

COMMITTEE AMENDMENT NO. 1

BY: Wentworth

Amend H. B. No. 779 (House engrossment) by striking page 1, lines 7 through 11, and substituting the following:

“(d) The court may not find a respondent in contempt of court for failure to pay child support if the respondent appears at the hearing with a copy of the payment record or other evidence satisfactory to the court showing that the respondent is current in the payment of child support as ordered by the court.”

ADOPTED

MAY 23 2007

Latey Spaw
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 19, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **Committee Report 2nd House, As Amended**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code relating to the dismissal of certain enforcement actions alleging the failure to pay child support. The bill would prevent a court from finding a respondent in contempt of court for failure to pay child support if the respondent appears at the hearing with proof of payment of child support as ordered by the court. To the extent the bill would modify court procedures in child support cases, the fiscal implication to the State is not anticipated to be significant. The bill would take immediate effect if the bill receives the vote of two-thirds of all members; otherwise, the bill would take effect September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 14, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code relating to the dismissal of certain enforcement actions alleging the failure to pay child support. The bill would prevent a court from finding a respondent in contempt of court for failure to pay child support if the respondent appears at the hearing with proof of payment. To the extent the bill would modify court procedures in child support cases, the fiscal implication to the State is not anticipated to be significant. The bill would take immediate effect if the bill receives the vote of two-thirds of all members; otherwise, the bill would take effect September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 13, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code relating to the dismissal of certain enforcement actions alleging the failure to pay child support. The bill would prevent a court from finding a respondent in contempt of court for failure to pay child support if the respondent appears at the hearing with proof of payment. To the extent the bill would modify court procedures in child support cases, the fiscal implication to the State is not anticipated to be significant. The bill would take immediate effect if the bill receives the vote of two-thirds of all members; otherwise, the bill would take effect September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 19, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **Committee Report 2nd House, As Amended**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes, or to juveniles who have been adjudicated for misdemeanor or felony conduct.

Source Agencies:

LBB Staff: JOB, SD, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **As Engrossed**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes, or to juveniles who have been adjudicated for misdemeanor or felony conduct.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

March 13, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB779 by Dutton (Relating to the dismissal of certain enforcement actions alleging the failure to pay child support.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes, or to juveniles who have been adjudicated for misdemeanor or felony conduct.

Source Agencies:

LBB Staff: JOB, GG