

By: Bolton

H.B. No. 2008

A BILL TO BE ENTITLED

AN ACT

relating to certain costs and fees in a Title IV-D case.

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

SECTION 1. Section 231.202, Family Code, is amended to read as follows:

Sec. 231.202. AUTHORIZED COSTS AND FEES IN TITLE IV-D CASES. In a Title IV-D case filed under this title, including a case filed under Chapter 159, the Title IV-D agency shall pay:

(1) filing fees and fees for issuance and service of process as provided by Chapter 110 of this code and by Sections 51.317, 51.318(b)(2), and 51.319(2), Government Code;

(2) fees for transfer as provided by Chapter 110;

(3) fees for the issuance and delivery of orders and writs of income withholding in the amounts provided by Chapter 110;

(4) the fee for services provided by ~~[that]~~ sheriffs and constables, including:

(A) a fee ~~[are]~~ authorized ~~[to charge for serving process]~~ under Section 118.131, Local Government Code, for servicing each item of process to each individual on whom service is required, including service by certified or registered mail~~[, to be paid to a sheriff, constable, or clerk whenever service of process is required]~~;

(B) a fee authorized under Section 157.103(b) for servicing a capias; and

1 (C) a fee prescribed by a rule adopted by the
2 Title IV-D agency for documented unsuccessful efforts to serve a
3 capias;

4 (5) the fee for filing an administrative writ of
5 withholding under Section 158.503(d); and

6 (6) the fee for issuance of a subpoena as provided by
7 Section 51.318(b)(1), Government Code.

8 SECTION 2. The changes in law made by this Act apply to a
9 suit affecting the parent-child relationship pending in a trial
10 court on or filed on or after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2009.