

By: Leibowitz

H.B. No. 2415

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the enforcement of a court order requiring an inmate
3 imprisoned in the Texas Department of Criminal Justice to pay child
4 support.

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

6 SECTION 1. Section 501.014(e), Government Code, is amended
7 to read as follows:

8 (e) On notification by a court, the department shall
9 withdraw from an inmate's account any amount the inmate is ordered
10 to pay by order of the court under this subsection. On receipt of a
11 valid court order requiring an inmate to pay child support, the
12 department shall withdraw the appropriate amount from the inmate's
13 account under this subsection, regardless of whether the court
14 order is provided by the court or another person. The department
15 shall make a payment under this subsection as ordered by the court
16 to either the court or the party specified in the court order. The
17 department is not liable for withdrawing or failing to withdraw
18 money or making payments or failing to make payments under this
19 subsection. The department shall make withdrawals and payments
20 from an inmate's account under this subsection according to the
21 following schedule of priorities:

22 (1) as payment in full for all orders for child
23 support;

24 (2) as payment in full for all orders for restitution;

1 (3) as payment in full for all orders for
2 reimbursement of the Health and [~~Texas Department of~~] Human
3 Services Commission for financial assistance provided for the
4 child's health needs under Chapter 31, Human Resources Code, to a
5 child of the inmate;

6 (4) as payment in full for all orders for court fees
7 and costs;

8 (5) as payment in full for all orders for fines; and

9 (6) as payment in full for any other court order,
10 judgment, or writ.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.