

By: Phillips

H.B. No. 2984

A BILL TO BE ENTITLED

1 AN ACT
2 relating to child support arrearages and a counterclaim or offset
3 based on certain disability payments.

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

5 SECTION 1. Section 157.262(f), Family Code, is amended to
6 read as follows:

7 (f) A lump sum dependent's disability payment made by the
8 Social Security Administration or the Veterans Administration to
9 the obligee for the benefit of the child as a result of the
10 obligor's disability may be used by the obligor as a counterclaim or
11 offset to a [The] money judgment for arrearages [rendered by the
12 ~~court may be subject to a counterclaim or offset as provided by this~~
13 ~~subchapter].~~

14 SECTION 2. The change in law made by this Act applies to a
15 motion for enforcement of child support that is pending in a trial
16 court on or filed on or after the effective date of this Act.

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