

By: Phillips

H.B. No. 3876

A BILL TO BE ENTITLED

AN ACT

relating to 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 (e) to read as follows:

(e) Notwithstanding Subsection (d), the court may award the petitioner costs of court and reasonable attorney's fees in a proceeding described by that subsection if the court finds that:

(1) on the date the motion for enforcement was filed, the respondent was not current in the payment of child support as ordered by the court; and

(2) the respondent made the child support payments described by Subsection (d) after the date the respondent was served notice or otherwise discovered that the motion for enforcement had been filed.

SECTION 2. The change in law made by this Act applies only to a motion for enforcement that is filed on or after the effective date of this Act. A motion for enforcement filed before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

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