

By: Phillips

H.B. No. 3876

Substitute the following for H.B. No. 3876:

By: Alonzo

C.S.H.B. No. 3876

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain enforcement actions alleging the failure to pay
3 child support.

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

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

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

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

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

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

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