

1-1 By: Hernandez (Senate Sponsor - Gallegos) H.B. No. 4424
1-2 (In the Senate - Received from the House May 8, 2009;
1-3 May 8, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 22, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4424 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to operations fees and child support service fees assessed
1-11 by domestic relations offices.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 110.006, Family Code, is amended to read
1-14 as follows:

1-15 Sec. 110.006. DOMESTIC RELATIONS OFFICE OPERATIONS FEES AND
1-16 CHILD SUPPORT SERVICE FEES. (a) If an administering entity of a
1-17 domestic relations office adopts an initial operations fee under
1-18 Section 203.005(a)(1) [~~or an initial child support service fee~~
1-19 ~~under Section 203.005(a)(2)~~], the clerk of the court shall:

1-20 (1) collect the operations fee at the time the
1-21 original suit, motion for modification, or motion for enforcement,
1-22 as applicable, is filed; and

1-23 (2) send the fee to the domestic relations office.

1-24 (b) If an administering entity of a domestic relations
1-25 office adopts an initial child support service fee under Section
1-26 203.005(a)(2), the clerk of the court shall:

1-27 (1) collect the child support service fee at the time
1-28 the original suit is filed; and

1-29 (2) send the fee to the domestic relations office.

1-30 (c) The fees described by Subsections (a) and (b) are not
1-31 filing fees for purposes of Section 110.002 or 110.003.

1-32 SECTION 2. Section 203.005(a), Family Code, is amended to
1-33 read as follows:

1-34 (a) The administering entity may authorize a domestic
1-35 relations office to assess and collect:

1-36 (1) an initial operations fee not to exceed \$15 to be
1-37 paid to the domestic relations office on each [~~the~~] filing of an
1-38 original [~~a~~] suit, motion for modification, or motion for
1-39 enforcement;

1-40 (2) in a county that has a child support enforcement
1-41 cooperative agreement with the Title IV-D agency, an initial child
1-42 support service fee not to exceed \$36 to be paid to the domestic
1-43 relations office on the filing of an original [~~a~~] suit;

1-44 (3) a reasonable application fee to be paid by an
1-45 applicant requesting services from the office;

1-46 (4) a reasonable attorney's fee and court costs
1-47 incurred or ordered by the court;

1-48 (5) a monthly service fee not to exceed \$3 to be paid
1-49 annually in advance by a managing conservator and possessory
1-50 conservator for whom the domestic relations office provides child
1-51 support services;

1-52 (6) community supervision fees as provided by Chapter
1-53 157 if community supervision officers are employed by the domestic
1-54 relations office;

1-55 (7) a reasonable fee for preparation of a
1-56 court-ordered social study;

1-57 (8) in a county that provides visitation services
1-58 under Sections 153.014 and 203.004 a reasonable fee to be paid to
1-59 the domestic relations office at the time the visitation services
1-60 are provided;

1-61 (9) a fee to reimburse the domestic relations office
1-62 for a fee required to be paid under Section 158.503(d) for filing an
1-63 administrative writ of withholding;

2-1 (10) a reasonable fee for parenting coordinator
2-2 services; and
2-3 (11) a reasonable fee for alternative dispute
2-4 resolution services.

2-5 SECTION 3. This Act takes effect immediately if it receives
2-6 a vote of two-thirds of all the members elected to each house, as
2-7 provided by Section 39, Article III, Texas Constitution. If this
2-8 Act does not receive the vote necessary for immediate effect, this
2-9 Act takes effect September 1, 2009.

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