

AN ACT

relating to child support arrearages and a credit based on certain disability payments.

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

SECTION 1. Subchapter A, Chapter 157, Family Code, is amended by adding Section 157.009 to read as follows:

Sec. 157.009. CREDIT FOR PAYMENT OF DISABILITY BENEFITS.
In addition to any other credit or offset available to an obligor under this title, if a child for whom the obligor owes child support receives a lump-sum payment as a result of the obligor's disability and that payment is made to the obligee as the representative payee of the child, the obligor is entitled to a credit. The credit under this section is equal to the amount of the lump-sum payment and shall be applied to any child support arrearage and interest owed by the obligor on behalf of that child at the time the payment is made.

SECTION 2. Subsection (f), Section 157.262, Family Code, is amended to read as follows:

(f) The money judgment for arrearages rendered by the court may be subject to a counterclaim or offset as provided by this title ~~[subchapter]~~.

SECTION 3. Section 157.009, Family Code, as added by this Act, applies only to a money judgment for child support arrearages that is rendered on or after the effective date of this Act. A money judgment for child support arrearages rendered before the effective

1 date of this Act is governed by the law in effect on the date that
2 the judgment was rendered, and the former law is continued in effect
3 for that purpose.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.

S.B. No. 1514

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1514 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1514 passed the House on May 26, 2009, by the following vote: Yeas 145, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor