

1-1 By: Watson S.B. No. 1514
1-2 (In the Senate - Filed March 9, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 6, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 6, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1514 By: Watson

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

1-10 relating to child support arrearages and a credit based on certain
1-11 disability payments.

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

1-13 SECTION 1. Subchapter A, Chapter 157, Family Code, is
1-14 amended by adding Section 157.009 to read as follows:

1-15 Sec. 157.009. CREDIT FOR PAYMENT OF DISABILITY BENEFITS.

1-16 In addition to any other credit or offset available to an obligor
1-17 under this title, if a child for whom the obligor owes child support
1-18 receives a lump-sum payment as a result of the obligor's disability
1-19 and that payment is made to the obligee as the representative payee
1-20 of the child, the obligor is entitled to a credit. The credit under
1-21 this section is equal to the amount of the lump-sum payment and
1-22 shall be applied to any child support arrearage and interest owed by
1-23 the obligor on behalf of that child at the time the payment is made.

1-24 SECTION 2. Subsection (f), Section 157.262, Family Code, is
1-25 amended to read as follows:

1-26 (f) The money judgment for arrearages rendered by the court
1-27 may be subject to a counterclaim or offset as provided by this title
1-28 [~~subchapter~~].

1-29 SECTION 3. Section 157.009, Family Code, as added by this
1-30 Act, applies only to a money judgment for child support arrearages
1-31 that is rendered on or after the effective date of this Act. A money
1-32 judgment for child support arrearages rendered before the effective
1-33 date of this Act is governed by the law in effect on the date that
1-34 the judgment was rendered, and the former law is continued in effect
1-35 for that purpose.

1-36 SECTION 4. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2009.

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