

1-1 By: West S.B. No. 1236
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 March 30, 2011, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 30, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the reduction and confirmation of child support
1-9 arrearages and an incentive program to encourage payment of
1-10 arrearages.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 157.263, Family Code, is amended by
1-13 adding Subsection (b-1) to read as follows:

1-14 (b-1) In rendering a money judgment under this section, the
1-15 court may not reduce or modify the amount of child support
1-16 arrearages but, in confirming the amount of arrearages, may allow a
1-17 counterclaim or offset as provided by this title.

1-18 SECTION 2. Subchapter B, Chapter 231, Family Code, is
1-19 amended by adding Section 231.124 to read as follows:

1-20 Sec. 231.124. CHILD SUPPORT ARREARAGES PAYMENT INCENTIVE
1-21 PROGRAM. (a) The Title IV-D agency may establish and administer a
1-22 payment incentive program to promote payment by obligors who are
1-23 delinquent in satisfying child support arrearages assigned to the
1-24 Title IV-D agency under Section 231.104(a).

1-25 (b) A program established under this section must provide to
1-26 a participating obligor a credit for every dollar amount paid by the
1-27 obligor on interest and arrearages balances during each month of
1-28 the obligor's voluntary enrollment in the program. In establishing
1-29 a program under this section, the Title IV-D agency by rule must
1-30 prescribe:

1-31 (1) criteria for a child support obligor's initial
1-32 eligibility to participate in the program;

1-33 (2) the conditions for a child support obligor's
1-34 continued participation in the program;

1-35 (3) procedures for enrollment in the program; and

1-36 (4) the terms of the financial incentives to be
1-37 offered under the program.

1-38 (c) The Title IV-D agency shall provide eligible obligors
1-39 with notice of the program and enrollment instructions.

1-40 SECTION 3. Section 157.262, Family Code, is repealed.

1-41 SECTION 4. Subsection (b-1), Section 157.263, Family Code,
1-42 as added by this Act, applies to a motion for enforcement of child
1-43 support that is pending before a trial court on or filed on or after
1-44 the effective date of this Act.

1-45 SECTION 5. This Act takes effect September 1, 2011.

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