

By: Giddings

H.B. No. 358

A BILL TO BE ENTITLED

AN ACT

relating to the grounds for modification of a child support order.

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

SECTION 1. Section 156.401(a), Family Code, is amended to read as follows:

(a) Except as provided by Subsection (a-1), (a-2), or (b), the court may modify an order that provides for the support of a child, including an order for health care coverage under Section 154.182, if:

(1) the circumstances of the child or a person affected by the order have materially and substantially changed since the earlier of:

(A) the date of the order's rendition; or

(B) the date of the signing of a mediated or collaborative law settlement agreement on which the order is based; or

(2) it has been two [~~three~~] years since the order was rendered or last modified and the monthly amount of the child support award under the order differs by either 10 [~~20~~] percent or \$50 [~~\$100~~] from the amount that would be awarded in accordance with the child support guidelines.

SECTION 2. Section 233.013(b), Family Code, is amended to read as follows:

(b) If it has been two [~~three~~] years since a child support

1 order was rendered or last modified and the amount of the child
2 support award under the order differs by either 10 [~~20~~] percent or
3 \$50 [~~\$100~~] from the amount that would be awarded under the child
4 support guidelines, the Title IV-D agency shall file an appropriate
5 child support review order, including an order that has the effect
6 of modifying an existing court or administrative order for child
7 support without the necessity of filing a motion to modify.

8 SECTION 3. The change in law made by this Act to Section
9 156.401, Family Code, applies only to a suit for modification
10 pending before a trial court on or filed on or after the effective
11 date of this Act.

12 SECTION 4. This Act takes effect September 1, 2013.