

BILL ANALYSIS

H.B. 545
By: Dutton
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties are concerned that a recent repeal of statutory provisions that allowed a parent to pay late child support payments in full without being found in contempt of court could lead to situations in which a parent may be found in contempt of court because of a clerical error that results in late payment, even if the parent makes full payment before the court hearing. The parties believe that parents who fall behind on child support payments but nevertheless make late payments in full before a court hearing should be afforded some protection under the law. H.B. 545 seeks to provide such protections.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 545 amends the Family Code to prohibit a court from finding a respondent in contempt of court for failure to pay child support if the respondent appears at a hearing for the enforcement of an order to pay child support with a copy of the payment record or other evidence satisfactory to the court showing that the respondent is current in the payment of child support as ordered by the court.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.