

BILL ANALYSIS

Senate Research Center
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S.B. 936
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is no denying the strain that delinquent payers of child support put on the state and its citizens. Not only do the recipients lack the financial support they are entitled to receive, the state must expend substantial resources in tracking down the delinquent party and enforcing the payment order.

Currently, Texas has several means of enforcing a child support order, including the following: withholding income, lottery winnings, federal income tax refunds, suspending driver's licenses, professional licenses (medical, law, plumbing, etc.), and hunting/fishing licenses, attaching a lien on any personal or real property, potential jail time for contempt of a court order, and the filing of a lawsuit to enforce the order. However, the state is still struggling with collecting delinquent child support payments.

The federal government allows for states to withhold a person from receiving supplemental nutrition assistance program (SNAP) benefits if they are failing to make court-ordered child support payments for that month (7 U.S.C. 2015(n) and 7 CFR 273.11(o)&(p)). Mississippi is the only state so far to adopt such a system. We are simply opting into this provision provided by the federal government to give the state another tool to enforce child support payments.

S.B. 936 withholds SNAP benefits during any month in which the person is delinquent in making a court-ordered child support payment, unless a court has allowed them to delay payment as part of a payment plan. We are simply giving the state another tool to incentivize child support payments to be made in a timely manner for the benefit of children.

As proposed, S.B. 936 amends current law relating to the eligibility for supplemental nutrition assistance benefits for certain persons who owe delinquent child support.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Section 33.030, as follows:

Sec. 33.030. ELIGIBILITY RESTRICTION FOR DELINQUENT CHILD SUPPORT PAYMENTS. (a) Defines "Title IV-D agency" for the purpose of this section.

(b) Prohibits a person, as authorized by 7 U.S.C. Section 2015(n), from receiving supplemental nutrition assistance benefits as a member of any household during any month in which the person is delinquent in making a court-ordered child support payment.

(c) Provides that the restriction in Subsection (b) does not apply if a court has allowed the person to delay payment or if the person is complying with a payment plan approved by a court or the Title IV-D agency.

(d) Requires the Health and Human Services Commission and the Title IV-D agency to jointly enforce this section.

SECTION 2. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2015.