

AN ACT

relating to the applicability of a wage and salary presumption to an incarcerated person for purposes of determining child support obligations.

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

SECTION 1. Section 154.068, Family Code, is amended to read as follows:

Sec. 154.068. WAGE AND SALARY PRESUMPTION. (a) In the absence of evidence of a party's resources, as defined by Section 154.062(b), the court shall presume that the party has income equal to the federal minimum wage for a 40-hour week to which the support guidelines may be applied.

(b) The presumption required by Subsection (a) does not apply if the court finds that the party is subject to an order of confinement that exceeds 90 days and is incarcerated in a local, state, or federal jail or prison at the time the court makes the determination regarding the party's income.

SECTION 2. The change in law made by this Act to Section 154.068, Family Code, applies only to a proceeding to establish or modify a child support obligation that is pending in a trial court on or filed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 943 was passed by the House on April 23, 2015, by the following vote: Yeas 112, Nays 28, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 943 was passed by the Senate on May 23, 2015, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor