

By: Davis of Dallas

H.B. No. 4122

Substitute the following for H.B. No. 4122:

By: Dutton

C.S.H.B. No. 4122

A BILL TO BE ENTITLED

1 AN ACT

2 relating to retroactive child support sought after a child reaches
3 18 years of age.

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

5 SECTION 1. Section 154.131, Family Code, is amended by
6 amending Subsection (f) and adding Subsection (g) to read as
7 follows:

8 (f) Notwithstanding any other provision of this subtitle,
9 but subject to Subsection (g), the court does not have ~~[retains]~~
10 jurisdiction to render an order for retroactive child support in a
11 suit if the ~~[a]~~ petition requesting retroactive child support is
12 filed after ~~[not later than the fourth anniversary of]~~ the date of
13 the child's 18th birthday.

14 (g) Notwithstanding any other provision of this subtitle,
15 the court retains jurisdiction to render an order for retroactive
16 child support in a suit if a petition requesting retroactive child
17 support is filed:

18 (1) while the child is enrolled in school as described
19 by Section 154.002(a)(1) and is in compliance with the attendance
20 requirements described by Section 154.002(a)(2); or

21 (2) at any time, if the petition seeks retroactive
22 child support for a disabled child and the court makes the findings
23 described by Section 154.302.

24 SECTION 2. Section 154.131, Family Code, as amended by this

1 Act, applies only to a petition for retroactive child support that
2 is filed on or after the effective date of this Act. A petition
3 filed before the effective date of this Act is governed by the law
4 in effect on the date the petition is filed, and the former law is
5 continued in effect for that purpose.

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