

By: Eltife

S.B. No. 1174

A BILL TO BE ENTITLED

AN ACT

relating to the property to which a child support lien attaches.

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

SECTION 1. Section 157.317(a), Family Code, is amended to read as follows:

(a) A child support lien attaches to all real and personal property not exempt under the Texas Constitution or other law, including:

(1) an account in a financial institution;

(2) a retirement plan, including an individual retirement account;

(3) the proceeds of an insurance policy, including the proceeds from a life insurance policy or annuity contract and the proceeds from the sale or assignment of life insurance or annuity benefits, a claim for compensation, or a settlement or award for the claim for compensation, due to or owned by the obligor, but excluding insurance claims for damage to real or personal property; and

(4) property seized and subject to forfeiture under Chapter 59, Code of Criminal Procedure.

SECTION 2. A child support lien on insurance policy proceeds for a claim for damage to real or personal property that is in existence on the effective date of this Act is released by operation of law on that date.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.