

1-1 By: West S.B. No. 1523  
1-2 (In the Senate - Filed March 12, 2015; March 23, 2015, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 28, 2015, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 28, 2015,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Ellis	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Fraser	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1523 By: Ellis

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the adoption of the Uniform Interstate Family Support  
1-22 Act of 2008.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 159.102, Family Code, is amended to read  
1-25 as follows:

1-26 Sec. 159.102. DEFINITIONS. In this chapter:

1-27 (1) "Child" means an individual, whether over or under  
1-28 the age of majority, who:

1-29 (A) is or is alleged to be owed a duty of support  
1-30 by the individual's parent; or

1-31 (B) is or is alleged to be the beneficiary of a  
1-32 support order directed to the parent.

1-33 (2) "Child support order" means a support order for a  
1-34 child, including a child who has attained the age of majority under  
1-35 the law of the issuing state or foreign country.

1-36 (3) "Convention" means the Convention on the  
1-37 International Recovery of Child Support and Other Forms of Family  
1-38 Maintenance, concluded at The Hague on November 23, 2007.

1-39 (4) "Duty of support" means an obligation imposed or  
1-40 imposable by law to provide support for a child, spouse, or former  
1-41 spouse, including an unsatisfied obligation to provide support.

1-42 (5) "Foreign country" means a country, including a  
1-43 political subdivision thereof, other than the United States, that  
1-44 authorizes the issuance of support orders and:

1-45 (A) which has been declared under the law of the  
1-46 United States to be a foreign reciprocating country;

1-47 (B) which has established a reciprocal  
1-48 arrangement for child support with this state as provided in  
1-49 Section 159.308;

1-50 (C) which has enacted a law or established  
1-51 procedures for the issuance and enforcement of support orders which  
1-52 are substantially similar to the procedures under this chapter; or

1-53 (D) in which the Convention is in force with  
1-54 respect to the United States.

1-55 (6) "Foreign support order" means a support order of a  
1-56 foreign tribunal.

1-57 (7) "Foreign tribunal" means a court, administrative  
1-58 agency, or quasi-judicial entity of a foreign country which is  
1-59 authorized to establish, enforce, or modify support orders or to  
1-60 determine parentage of a child. The term includes a competent

2-1 authority under the Convention.  
 2-2 (8) [(4)] "Home state" means the state or foreign  
 2-3 country in which a child lived with a parent or a person acting as  
 2-4 parent for at least six consecutive months immediately preceding  
 2-5 the time of filing of a petition or a comparable pleading for  
 2-6 support and, if a child is less than six months old, the state or  
 2-7 foreign country in which the child lived from birth with any of them  
 2-8 [with a parent or a person acting as parent from the time of birth].  
 2-9 A period of temporary absence of any of them is counted as part of  
 2-10 the six-month or other period.  
 2-11 (9) [(5)] "Income" includes earnings or other  
 2-12 periodic entitlements to money from any source and any other  
 2-13 property subject to withholding for support under the law of this  
 2-14 state.  
 2-15 (10) [(6)] "Income-withholding order" means an order  
 2-16 or other legal process directed to an obligor's employer, as  
 2-17 provided in Chapter 158, to withhold support from the income of the  
 2-18 obligor.  
 2-19 (11) [(7)] "Initiating state" means a state from which  
 2-20 a proceeding is forwarded or in which a proceeding is filed for  
 2-21 forwarding to a responding state under this chapter or a law or  
 2-22 procedure substantially similar to this chapter.  
 2-23 [(8)] "Initiating tribunal" means the [authorized]  
 2-24 tribunal of a state or foreign country from which a petition or  
 2-25 comparable pleading is forwarded or a petition or comparable  
 2-26 pleading is filed for forwarding to another state or foreign  
 2-27 country [in an initiating state].  
 2-28 (12) "Issuing foreign country" means the foreign  
 2-29 country in which a tribunal issues a support order or a judgment  
 2-30 determining parentage of a child.  
 2-31 (13) [(9)] "Issuing state" means the state in which a  
 2-32 tribunal issues a support order or [renders] a judgment determining  
 2-33 parentage of a child.  
 2-34 (14) [(10)] "Issuing tribunal" means the tribunal of a  
 2-35 state or foreign country that issues a support order or [renders] a  
 2-36 judgment determining parentage of a child.  
 2-37 (15) [(11)] "Law" includes decisional and statutory  
 2-38 law and rules and regulations having the force of law.  
 2-39 (16) [(12)] "Obligee" means:  
 2-40 (A) an individual to whom a duty of support is or  
 2-41 is alleged to be owed or in whose favor a support order [has been  
 2-42 issued] or a judgment determining parentage of a child has been  
 2-43 issued [rendered];  
 2-44 (B) a foreign country, state, or political  
 2-45 subdivision of a state to which the rights under a duty of support  
 2-46 or support order have been assigned or that has independent claims  
 2-47 based on financial assistance provided to an individual obligee in  
 2-48 place of child support; [or]  
 2-49 (C) an individual seeking a judgment determining  
 2-50 parentage of the individual's child; or  
 2-51 (D) a person that is a creditor in a proceeding  
 2-52 under Subchapter H.  
 2-53 (17) [(13)] "Obligor" means an individual, or the  
 2-54 estate of a decedent, that:  
 2-55 (A) [who] owes or is alleged to owe a duty of  
 2-56 support;  
 2-57 (B) [who] is alleged but has not been adjudicated  
 2-58 to be a parent of a child; [or]  
 2-59 (C) [who] is liable under a support order; or  
 2-60 (D) is a debtor in a proceeding under Subchapter  
 2-61 H.  
 2-62 (18) "Outside this state" means a location in another  
 2-63 state or a country other than the United States, whether or not the  
 2-64 country is a foreign country.  
 2-65 (19) [(14)] "Person" means an individual,  
 2-66 corporation, business trust, estate, trust, partnership, limited  
 2-67 liability company, association, joint venture, public corporation,  
 2-68 government or [7] governmental subdivision, agency, or  
 2-69 instrumentality, [public corporation] or any other legal or



4-1 Sec. 159.103. STATE TRIBUNAL AND SUPPORT ENFORCEMENT AGENCY  
4-2 ~~[OF STATE]~~. (a) The court is the tribunal of this state.

4-3 (b) The office of the attorney general is the support  
4-4 enforcement agency of this state.

4-5 SECTION 3. Sections 159.104(a) and (b), Family Code, are  
4-6 amended to read as follows:

4-7 (a) Remedies provided by ~~[in]~~ this chapter are cumulative  
4-8 and do not affect the availability of remedies under other law or ~~[or~~  
4-9 ~~including]~~ the recognition of a foreign support order ~~[of a foreign~~  
4-10 ~~country or political subdivision]~~ on the basis of comity.

4-11 (b) This chapter does not:  
4-12 (1) provide the exclusive method of establishing or  
4-13 enforcing a support order under the law of this state; or  
4-14 (2) grant a tribunal of this state jurisdiction to  
4-15 render ~~[a]~~ judgment or issue an order relating to child custody or  
4-16 visitation in a proceeding under this chapter.

4-17 SECTION 4. Subchapter B, Chapter 159, Family Code, is  
4-18 amended by adding Section 159.105 to read as follows:

4-19 Sec. 159.105. APPLICATION OF CHAPTER TO RESIDENT OF FOREIGN  
4-20 COUNTRY AND FOREIGN SUPPORT PROCEEDING. (a) A tribunal of this  
4-21 state shall apply Subchapters B through G and, as applicable,  
4-22 Subchapter H to a support proceeding involving:

- 4-23 (1) a foreign support order;
- 4-24 (2) a foreign tribunal; or
- 4-25 (3) an obligee, obligor, or child residing in a  
4-26 foreign country.

4-27 (b) A tribunal of this state that is requested to recognize  
4-28 and enforce a support order on the basis of comity may apply the  
4-29 procedural and substantive provisions of Subchapters B through G.

4-30 (c) Subchapter H applies only to a support proceeding under  
4-31 the Convention. In such a proceeding, if a provision of Subchapter  
4-32 H is inconsistent with Subchapters B through G, Subchapter H  
4-33 controls.

4-34 SECTION 5. Section 159.201, Family Code, as amended by S.B.  
4-35 No. 219, Acts of the 84th Legislature, Regular Session, 2015, is  
4-36 amended to read as follows:

4-37 Sec. 159.201. BASES FOR JURISDICTION OVER NONRESIDENT.  
4-38 (a) In a proceeding to establish or enforce a support order or to  
4-39 determine parentage of a child, a tribunal of this state may  
4-40 exercise personal jurisdiction over a nonresident individual or the  
4-41 individual's guardian or conservator if:

- 4-42 (1) the individual is personally served with citation  
4-43 in this state;
- 4-44 (2) the individual submits to the jurisdiction of this  
4-45 state by consent in a record, by entering a general appearance, or  
4-46 by filing a responsive document having the effect of waiving any  
4-47 contest to personal jurisdiction;
- 4-48 (3) the individual resided with the child in this  
4-49 state;
- 4-50 (4) the individual resided in this state and provided  
4-51 prenatal expenses or support for the child;
- 4-52 (5) the child resides in this state as a result of the  
4-53 acts or directives of the individual;
- 4-54 (6) the individual engaged in sexual intercourse in  
4-55 this state and the child may have been conceived by that act of  
4-56 intercourse;
- 4-57 (7) the individual asserted parentage of a child in  
4-58 the paternity registry maintained in this state by the vital  
4-59 statistics unit; or
- 4-60 (8) there is any other basis consistent with the  
4-61 constitutions of this state and the United States for the exercise  
4-62 of personal jurisdiction.

4-63 (b) The ~~[A tribunal of this state may not use the]~~ bases of  
4-64 personal jurisdiction listed in Subsection (a) or in any other law  
4-65 of this state may not be used to acquire personal jurisdiction for a  
4-66 tribunal of this state to modify a child support order of another  
4-67 state unless the requirements of Section 159.611 are met, or, in the  
4-68 case of a foreign support order, unless the requirements of Section  
4-69 159.615 are met ~~[or 159.615 are satisfied]~~.

5-1 SECTION 6. Section 159.202, Family Code, is amended to read  
5-2 as follows:

5-3 Sec. 159.202. DURATION OF PERSONAL JURISDICTION. Personal  
5-4 jurisdiction acquired by a tribunal of this state in a proceeding  
5-5 under this chapter or other law of this state relating to a support  
5-6 order continues as long as the tribunal of this state has  
5-7 continuing, exclusive jurisdiction to modify its order or  
5-8 continuing jurisdiction to enforce its order as provided by [~~under~~]  
5-9 Sections 159.205, 159.206, and 159.211.

5-10 SECTION 7. Section 159.203, Family Code, is amended to read  
5-11 as follows:

5-12 Sec. 159.203. INITIATING AND RESPONDING TRIBUNAL OF STATE.  
5-13 Under this chapter, a tribunal of this state may serve as an  
5-14 initiating tribunal to forward proceedings to a tribunal of another  
5-15 state and as a responding tribunal for proceedings initiated in  
5-16 another state or a foreign country.

5-17 SECTION 8. Section 159.204, Family Code, is amended to read  
5-18 as follows:

5-19 Sec. 159.204. SIMULTANEOUS PROCEEDINGS. (a) A tribunal of  
5-20 this state may exercise jurisdiction to establish a support order  
5-21 if the petition or comparable pleading is filed after a pleading is  
5-22 filed in another state or a foreign country only if:

5-23 (1) the petition or comparable pleading in this state  
5-24 is filed before the expiration of the time allowed in the other  
5-25 state or the foreign country for filing a responsive pleading  
5-26 challenging the exercise of jurisdiction by the other state or the  
5-27 foreign country;

5-28 (2) the contesting party timely challenges the  
5-29 exercise of jurisdiction in the other state or the foreign country;  
5-30 and

5-31 (3) if relevant, this state is the home state of the  
5-32 child.

5-33 (b) A tribunal of this state may not exercise jurisdiction  
5-34 to establish a support order if the petition or comparable pleading  
5-35 is filed before a petition or comparable pleading is filed in  
5-36 another state or a foreign country if:

5-37 (1) the petition or comparable pleading in the other  
5-38 state or foreign country is filed before the expiration of the time  
5-39 allowed in this state for filing a responsive pleading challenging  
5-40 the exercise of jurisdiction by this state;

5-41 (2) the contesting party timely challenges the  
5-42 exercise of jurisdiction in this state; and

5-43 (3) if relevant, the other state or foreign country is  
5-44 the home state of the child.

5-45 SECTION 9. Sections 159.205(a), (b), (c), and (d), Family  
5-46 Code, are amended to read as follows:

5-47 (a) A tribunal of this state that has issued a child support  
5-48 order consistent with the law of this state has and shall exercise  
5-49 continuing, exclusive jurisdiction to modify its child support  
5-50 order if the order is the controlling order and:

5-51 (1) at the time of the filing of a request for  
5-52 modification [~~is filed,~~] this state is the [~~state of~~] residence of  
5-53 the obligor, the individual obligee, or the child for whose benefit  
5-54 the support order is issued; or

5-55 (2) even if this state is not the residence of the  
5-56 obligor, the individual obligee, or the child for whose benefit the  
5-57 support order is issued, the parties consent in a record or in open  
5-58 court that the tribunal of this state may continue to exercise  
5-59 jurisdiction to modify its order.

5-60 (b) A tribunal of this state that has issued a child support  
5-61 order consistent with the law of this state may not exercise  
5-62 continuing, exclusive jurisdiction to modify the order if:

5-63 (1) all of the parties [~~each party~~] who are  
5-64 individuals file [~~is an individual files a~~] consent in a record with  
5-65 the tribunal of this state that a tribunal of another state that has  
5-66 jurisdiction over at least one of the parties who is an individual  
5-67 or that is located in the state of residence of the child may modify  
5-68 the order and assume continuing, exclusive jurisdiction; or

5-69 (2) the tribunal's order is not the controlling order.

6-1 (c) If a [A] tribunal of another [this] state [shall  
 6-2 recognize the continuing, exclusive jurisdiction of a tribunal of  
 6-3 another state if the tribunal of the other state] has issued a child  
 6-4 support order pursuant to the Uniform Interstate Family Support Act  
 6-5 or a law substantially similar to that Act that modifies a child  
 6-6 support order of a tribunal of this state, tribunals of this state  
 6-7 shall recognize the continuing, exclusive jurisdiction of the  
 6-8 tribunal of the other state [under a law substantially similar to  
 6-9 this chapter].

6-10 (d) A tribunal of this state that lacks [does not have]  
 6-11 continuing, exclusive jurisdiction to modify a child support order  
 6-12 may serve as an initiating tribunal to request a tribunal of another  
 6-13 state to modify a support order issued in that state.

6-14 SECTION 10. Section 159.206(a), Family Code, is amended to  
 6-15 read as follows:

6-16 (a) A tribunal of this state that has issued a child support  
 6-17 order consistent with the law of this state may serve as an  
 6-18 initiating tribunal to request a tribunal of another state to  
 6-19 enforce:

6-20 (1) the order, if the order:  
 6-21 (A) is the controlling order; and  
 6-22 (B) has not been modified by a tribunal of  
 6-23 another state that assumed jurisdiction under the Uniform  
 6-24 Interstate Family Support Act; or

6-25 (2) a money judgment for arrears of support  
 6-26 [arrearages] and interest on the order accrued before a  
 6-27 determination that an order of a tribunal of another state is the  
 6-28 controlling order.

6-29 SECTION 11. Section 159.207, Family Code, is amended to  
 6-30 read as follows:

6-31 Sec. 159.207. DETERMINATION OF CONTROLLING CHILD SUPPORT  
 6-32 ORDER. (a) If a proceeding is brought under this chapter and only  
 6-33 one tribunal has issued a child support order, the order of that  
 6-34 tribunal controls and must be ~~so~~ recognized.

6-35 (b) If a proceeding is brought under this chapter and two or  
 6-36 more child support orders have been issued by tribunals of this  
 6-37 state, ~~or~~ another state, or a foreign country with regard to the  
 6-38 same obligor and same child, a tribunal of this state having  
 6-39 personal jurisdiction over both the obligor and individual obligee  
 6-40 shall apply the following rules and by order shall ~~to~~ determine  
 6-41 [by order] which order controls and must be recognized:

6-42 (1) if only one of the tribunals would have  
 6-43 continuing, exclusive jurisdiction under this chapter, the order of  
 6-44 that tribunal controls [and must be so recognized];

6-45 (2) if more than one of the tribunals would have  
 6-46 continuing, exclusive jurisdiction under this chapter:

6-47 (A) an order issued by a tribunal in the current  
 6-48 home state of the child controls [if an order is issued in the  
 6-49 current home state of the child]; or

6-50 (B) [the order most recently issued controls] if  
 6-51 an order has not been issued in the current home state of the child,  
 6-52 the order most recently issued controls; and

6-53 (3) if none of the tribunals would have continuing,  
 6-54 exclusive jurisdiction under this chapter, the tribunal of this  
 6-55 state shall issue a child support order that controls.

6-56 (c) If two or more child support orders have been issued for  
 6-57 the same obligor and same child, on request of a party who is an  
 6-58 individual or that is a support enforcement agency, a tribunal of  
 6-59 this state having personal jurisdiction over both the obligor and  
 6-60 the obligee who is an individual shall determine which order  
 6-61 controls under Subsection (b). The request may be filed~~+~~

6-62 ~~[-1-]~~ with a registration for enforcement or  
 6-63 registration for modification under Subchapter G~~+~~ or may be filed  
 6-64 ~~[-2-]~~ as a separate proceeding.

6-65 (d) A request to determine which is the controlling order  
 6-66 must be accompanied by a copy of every [each] child support order in  
 6-67 effect and the applicable record of payments. The requesting party  
 6-68 shall give notice of the request to each party whose rights may be  
 6-69 affected by the determination.

7-1 (e) The tribunal that issued the controlling order under  
 7-2 Subsection (a), (b), or (c) has continuing jurisdiction to the  
 7-3 extent provided by ~~[under]~~ Section 159.205 or 159.206.

7-4 (f) A tribunal of this state that determines by order which  
 7-5 ~~[order]~~ is the controlling order under Subsection (b)(1) or (2) or  
 7-6 Subsection (c), or that issues a new controlling order under  
 7-7 Subsection (b)(3), shall state in that order:

7-8 (1) the basis upon which the tribunal made its  
 7-9 determination;

7-10 (2) the amount of prospective ~~[child]~~ support, if any;  
 7-11 and

7-12 (3) the total amount of consolidated arrears  
 7-13 ~~[arrearages]~~ and accrued interest, if any, under all of the orders  
 7-14 after all payments made are credited as provided by ~~[under]~~ Section  
 7-15 159.209.

7-16 (g) Within 30 days after issuance of an order determining  
 7-17 which order is the controlling order, the party obtaining the order  
 7-18 shall file a certified copy of the controlling order in each  
 7-19 tribunal that issued or registered an earlier order of child  
 7-20 support. A party or support enforcement agency obtaining ~~[that~~  
 7-21 ~~obtains]~~ the order that ~~[and]~~ fails to file a certified copy ~~[of the~~  
 7-22 ~~order]~~ is subject to appropriate sanctions by a tribunal in which  
 7-23 the issue of failure to file arises. The failure to file does not  
 7-24 affect the validity or enforceability of the controlling order.

7-25 (h) An order that has been determined to be the controlling  
 7-26 order, or a judgment for consolidated arrears of support  
 7-27 ~~[arrearages]~~ and interest, if any, made ~~[issued]~~ under this  
 7-28 section, must be recognized in proceedings ~~[a proceeding]~~ under  
 7-29 this chapter.

7-30 SECTION 12. Section 159.208, Family Code, is amended to  
 7-31 read as follows:

7-32 Sec. 159.208. CHILD SUPPORT ORDERS FOR TWO OR MORE  
 7-33 OBLIGEEES. In responding to registrations or petitions for  
 7-34 enforcement of two or more child support orders in effect at the  
 7-35 same time with regard to the same obligor and different individual  
 7-36 obligees, at least one of which was issued by a tribunal of another  
 7-37 state or a foreign country, a tribunal of this state shall enforce  
 7-38 those orders in the same manner as if the orders had been issued by a  
 7-39 tribunal of this state.

7-40 SECTION 13. Section 159.209, Family Code, is amended to  
 7-41 read as follows:

7-42 Sec. 159.209. CREDIT FOR PAYMENTS. A tribunal of this state  
 7-43 shall credit amounts collected for a particular period under any  
 7-44 child ~~[a]~~ support order against the amounts owed for the same period  
 7-45 under any other child support order for support of the same child  
 7-46 issued by a tribunal of this state, ~~[or]~~ another state, or a foreign  
 7-47 country.

7-48 SECTION 14. Section 159.210, Family Code, is amended to  
 7-49 read as follows:

7-50 Sec. 159.210. APPLICATION OF CHAPTER ~~[APPLICABILITY]~~ TO  
 7-51 NONRESIDENT SUBJECT TO PERSONAL JURISDICTION. A ~~[(a) Except as~~  
 7-52 ~~provided by Subsection (b), Subchapters D-H do not apply to a]~~  
 7-53 tribunal of this state exercising personal jurisdiction over a  
 7-54 nonresident in a proceeding under this chapter or under other law of  
 7-55 this state relating to a support order or recognizing a foreign  
 7-56 support order ~~[of a foreign country or political subdivision on the~~  
 7-57 ~~basis of comity. The tribunal shall apply the procedural and~~  
 7-58 ~~substantive law of this state in a proceeding described by this~~  
 7-59 ~~subsection.~~

7-60 ~~[(b) Notwithstanding Subsection (a), a tribunal of this~~  
 7-61 ~~state exercising personal jurisdiction over a nonresident in a~~  
 7-62 ~~proceeding under this chapter or under other law of this state~~  
 7-63 ~~relating to a support order or recognizing a support order of a~~  
 7-64 ~~foreign country or political subdivision on the basis of comity]~~  
 7-65 may ~~[+~~

7-66 ~~[(1)]~~ receive evidence from outside this ~~[another]~~  
 7-67 state as provided by Section 159.316, ~~[+~~

7-68 ~~[(2)]~~ communicate with a tribunal outside this ~~[of~~  
 7-69 another] state as provided by Section 159.317, ~~[+~~ and

8-1           ~~[(3)]~~ obtain discovery through a tribunal outside this  
 8-2 ~~[of another]~~ state as provided by Section 159.318. In all other  
 8-3 respects, Subchapters D, E, F, and G do not apply and the tribunal  
 8-4 shall apply the procedural and substantive law of this state.

8-5           SECTION 15. Section 159.211(b), Family Code, is amended to  
 8-6 read as follows:

8-7           (b) A tribunal of this state may not modify a spousal  
 8-8 support order issued by a tribunal of another state or a foreign  
 8-9 country having continuing, exclusive jurisdiction over that order  
 8-10 under the law of that state or foreign country.

8-11          SECTION 16. Section 159.301(c), Family Code, is amended to  
 8-12 read as follows:

8-13          (c) An individual petitioner or a support enforcement  
 8-14 agency may initiate a proceeding authorized under this chapter by  
 8-15 filing a petition in an initiating tribunal for forwarding to a  
 8-16 responding tribunal or by filing a petition or a comparable  
 8-17 pleading directly in a tribunal of another state or foreign country  
 8-18 that has or ~~that~~ can obtain personal jurisdiction over the  
 8-19 respondent.

8-20          SECTION 17. Section 159.304(b), Family Code, is amended to  
 8-21 read as follows:

8-22          (b) If requested by the responding tribunal, a tribunal of  
 8-23 this state shall issue a certificate or other document and make  
 8-24 findings required by the law of the responding state. If the  
 8-25 responding tribunal ~~[state]~~ is in a foreign country ~~[or political~~  
 8-26 ~~subdivision]~~, on request the tribunal of this state shall specify  
 8-27 the amount of support sought, convert that amount into the  
 8-28 equivalent amount in the foreign currency under the applicable  
 8-29 official or market exchange rate as publicly reported, and provide  
 8-30 any other documents necessary to satisfy the requirements of the  
 8-31 responding foreign tribunal ~~[state].~~

8-32          SECTION 18. Sections 159.305(b) and (f), Family Code, are  
 8-33 amended to read as follows:

8-34          (b) A ~~[Except as prohibited by other law, a]~~ responding  
 8-35 tribunal of this state, to the extent not prohibited by other law,  
 8-36 may do one or more of the following:

8-37           (1) establish ~~[issue]~~ or enforce a support order,  
 8-38 modify a child support order, determine the controlling child  
 8-39 support order, or determine parentage of a child;

8-40           (2) order an obligor to comply with a support order,  
 8-41 specifying ~~[and specify]~~ the amount and the manner of compliance;

8-42           (3) order income withholding;

8-43           (4) determine the amount of any arrearages and specify  
 8-44 a method of payment;

8-45           (5) enforce orders by civil or criminal contempt, or  
 8-46 both;

8-47           (6) set aside property for satisfaction of the support  
 8-48 order;

8-49           (7) place liens and order execution on the obligor's  
 8-50 property;

8-51           (8) order an obligor to keep the tribunal informed of  
 8-52 the obligor's current residential address, electronic mail  
 8-53 address, telephone number, employer, address of employment, and  
 8-54 telephone number at the place of employment;

8-55           (9) issue a bench warrant or capias for an obligor who  
 8-56 has failed after proper notice to appear at a hearing ordered by the  
 8-57 tribunal and enter the bench warrant or capias in any local and  
 8-58 state computer systems for criminal warrants;

8-59           (10) order the obligor to seek appropriate employment  
 8-60 by specified methods;

8-61           (11) award reasonable attorney's fees and other fees  
 8-62 and costs; and

8-63           (12) grant any other available remedy.

8-64          (f) If requested to enforce a support order, arrears  
 8-65 ~~[arrearages]~~, or ~~[a]~~ judgment or ~~[to]~~ modify a support order stated  
 8-66 in a foreign currency, a responding tribunal of this state shall  
 8-67 convert the amount stated in the foreign currency to the equivalent  
 8-68 amount in dollars under the applicable official or market exchange  
 8-69 rate as publicly reported.

9-1 SECTION 19. Sections 159.307(b), (c), (d), and (e), Family  
9-2 Code, are amended to read as follows:

9-3 (b) A support enforcement agency of this state that is  
9-4 providing [~~provides~~] services to the petitioner shall:

9-5 (1) take all steps necessary to enable an appropriate  
9-6 tribunal of [~~in~~] this state, [~~or~~] another state, or a foreign  
9-7 country to obtain jurisdiction over the respondent;

9-8 (2) request an appropriate tribunal to set a date,  
9-9 time, and place for a hearing;

9-10 (3) make a reasonable effort to obtain all relevant  
9-11 information, including information as to income and property of the  
9-12 parties;

9-13 (4) within two days [~~not later than the second day~~],  
9-14 exclusive of [~~excluding~~] Saturdays, Sundays, and legal holidays,  
9-15 after [~~the date of~~] receipt of [~~a written~~] notice in a record from  
9-16 an initiating, responding, or registering tribunal, send a copy of  
9-17 the notice to the petitioner;

9-18 (5) within two days [~~not later than the second day~~],  
9-19 exclusive of [~~excluding~~] Saturdays, Sundays, and legal holidays,  
9-20 after [~~the date of~~] receipt of [~~a written~~] communication in a record  
9-21 from the respondent or the respondent's attorney, send a copy of the  
9-22 communication to the petitioner; and

9-23 (6) notify the petitioner if jurisdiction over the  
9-24 respondent cannot be obtained.

9-25 (c) A support enforcement agency of this state that requests  
9-26 registration of a child support order in this state for enforcement  
9-27 or for modification shall make reasonable efforts [~~to ensure that~~]:

9-28 (1) to ensure that the order to be registered is the  
9-29 controlling order; or

9-30 (2) if two or more child support orders exist and the  
9-31 identity of the controlling order has not been determined, to  
9-32 ensure that a request for such a determination [~~of which order is~~  
9-33 ~~the controlling order~~] is made in a tribunal having jurisdiction to  
9-34 do so [~~to make the determination, if two or more child support~~  
9-35 ~~orders have been issued and a determination of the controlling~~  
9-36 ~~order has not been made~~].

9-37 (d) A support enforcement agency of this state that requests  
9-38 registration and enforcement of a support order, arrear  
9-39 [~~arrears~~], or a judgment stated in a foreign currency shall  
9-40 convert the amount stated in the foreign currency into [~~to~~] the  
9-41 equivalent amount in dollars under the applicable official or  
9-42 market exchange rate as publicly reported.

9-43 (e) A support enforcement agency of this state shall issue,  
9-44 or request a tribunal of this state to issue, a child support order  
9-45 and an income-withholding order that redirects payment of current  
9-46 support, arrears [~~arrears~~], and interest if requested to do so  
9-47 by a support enforcement agency of another state under Section  
9-48 159.319.

9-49 SECTION 20. The heading of Section 159.308, Family Code, is  
9-50 amended to read as follows:

9-51 Sec. 159.308. DUTY OF ATTORNEY GENERAL AND GOVERNOR  
9-52 [~~CERTAIN STATE OFFICIALS~~].

9-53 SECTION 21. Section 159.308(b), Family Code, is amended to  
9-54 read as follows:

9-55 (b) The governor may determine that a foreign country [~~or~~  
9-56 ~~political subdivision~~] has established a reciprocal arrangement  
9-57 for child support with this state and take appropriate action for  
9-58 notification of the determination.

9-59 SECTION 22. Section 159.310(b), Family Code, is amended to  
9-60 read as follows:

9-61 (b) The state information agency shall:

9-62 (1) compile and maintain a current list, including  
9-63 addresses, of the tribunals in this state that have jurisdiction  
9-64 under this chapter and any support enforcement agencies in this  
9-65 state and transmit [~~send~~] a copy to the state information agency of  
9-66 every other state;

9-67 (2) maintain a register of names and addresses of  
9-68 tribunals and support enforcement agencies received from other  
9-69 states;

10-1 (3) forward to the appropriate tribunal in the county  
 10-2 in this state in which ~~[where]~~ the obligee who is an individual or  
 10-3 the obligor resides, or in which ~~[where]~~ the obligor's property is  
 10-4 believed to be located, all documents concerning a proceeding under  
 10-5 this chapter received from another state or a foreign country ~~[an~~  
 10-6 ~~initiating tribunal or the state information agency of the~~  
 10-7 ~~initiating state]~~; and

10-8 (4) obtain information concerning the location of the  
 10-9 obligor and the obligor's property in this state not exempt from  
 10-10 execution, by such means as postal verification and federal or  
 10-11 state locator services, examination of telephone directories,  
 10-12 requests for the obligor's address from employers, and examination  
 10-13 of governmental records, including, to the extent not prohibited by  
 10-14 other law, those relating to real property, vital statistics, law  
 10-15 enforcement, taxation, motor vehicles, driver's licenses, and  
 10-16 social security.

10-17 SECTION 23. Section 159.311(a), Family Code, is amended to  
 10-18 read as follows:

10-19 (a) In a proceeding under this chapter, a petitioner seeking  
 10-20 to establish a support order, to determine parentage of a child, or  
 10-21 to register and modify a support order of a tribunal of another  
 10-22 state or foreign country must file a petition. Unless otherwise  
 10-23 ordered under Section 159.312, the petition or accompanying  
 10-24 documents must provide, so far as known, the name, residential  
 10-25 address, and social security numbers of the obligor and the obligee  
 10-26 or the parent and alleged parent, and the name, sex, residential  
 10-27 address, social security number, and date of birth of each child for  
 10-28 whose benefit support is sought or whose parentage is to be  
 10-29 determined. Unless filed at the time of registration, the petition  
 10-30 must be accompanied by a copy of any support order known to have  
 10-31 been issued by another tribunal. The petition may include any other  
 10-32 information that may assist in locating or identifying the  
 10-33 respondent.

10-34 SECTION 24. Section 159.312, Family Code, is amended to  
 10-35 read as follows:

10-36 Sec. 159.312. NONDISCLOSURE OF INFORMATION IN EXCEPTIONAL  
 10-37 CIRCUMSTANCES. If a party alleges in an affidavit or pleading under  
 10-38 oath that the health, safety, or liberty of a party or child would  
 10-39 be jeopardized by disclosure of specific identifying information  
 10-40 ~~[regarding the party or the child], that [the identifying]~~  
 10-41 information must ~~[shall]~~ be sealed and may not be disclosed to the  
 10-42 other party or ~~[to]~~ the public. After a hearing in which a tribunal  
 10-43 takes into consideration ~~[considers]~~ the health, safety, or liberty  
 10-44 of the party or ~~[the]~~ child, the tribunal may order disclosure of  
 10-45 information that [if] the tribunal determines to be in the interest  
 10-46 ~~[that the disclosure serves the interests]~~ of justice.

10-47 SECTION 25. Sections 159.313(b) and (c), Family Code, are  
 10-48 amended to read as follows:

10-49 (b) If an obligee prevails, a responding tribunal of this  
 10-50 state may assess against an obligor filing fees, reasonable  
 10-51 attorney's fees, other costs, and necessary travel and other  
 10-52 reasonable expenses incurred by the obligee and the obligee's  
 10-53 witnesses. The tribunal may not assess fees, costs, or expenses  
 10-54 against the obligee or the support enforcement agency of either the  
 10-55 initiating ~~[state]~~ or ~~[the]~~ responding state or foreign country,  
 10-56 except as provided by other law. Attorney's fees may be taxed as  
 10-57 costs, and may be ordered paid directly to the attorney, who may  
 10-58 enforce the order in the attorney's own name. Payment of support  
 10-59 owed to the obligee has priority over fees, costs, and expenses.

10-60 (c) The tribunal shall order the payment of costs and  
 10-61 reasonable attorney's fees if it determines that a hearing was  
 10-62 requested primarily for delay. In a proceeding under Subchapter G  
 10-63 ~~[pursuant to Sections 159.601 through 159.608]~~, a hearing is  
 10-64 presumed to have been requested primarily for delay if a registered  
 10-65 support order is confirmed or enforced without change.

10-66 SECTION 26. Section 159.314(c), Family Code, is amended to  
 10-67 read as follows:

10-68 (c) The immunity granted by this section does not extend to  
 10-69 civil litigation based on acts unrelated to a proceeding under this

11-1 chapter committed by a party while physically present in this state  
 11-2 to participate in the proceeding.

11-3 SECTION 27. Sections 159.316(a), (b), (d), (e), and (f),  
 11-4 Family Code, are amended to read as follows:

11-5 (a) The physical presence of a nonresident party who is an  
 11-6 individual in a tribunal of this state is not required for the  
 11-7 establishment, enforcement, or modification of a support order or  
 11-8 the rendition of a judgment determining parentage of a child.

11-9 (b) An affidavit, a document substantially complying with  
 11-10 federally mandated forms, or a document incorporated by reference  
 11-11 in an affidavit or document, that would not be excluded under the  
 11-12 hearsay rule if given in person, is admissible in evidence if given  
 11-13 under penalty of perjury by a party or witness residing outside this  
 11-14 ~~[in another]~~ state.

11-15 (d) Copies of bills for testing for parentage of a child,  
 11-16 and for prenatal and postnatal health care of the mother and child  
 11-17 ~~[that are]~~ furnished to the adverse party at least ~~[not less than]~~  
 11-18 10 days before ~~[the date of]~~ trial are admissible in evidence to  
 11-19 prove the amount of the charges billed and that the charges were  
 11-20 reasonable, necessary, and customary.

11-21 (e) Documentary evidence transmitted from outside this  
 11-22 ~~[another]~~ state to a tribunal of this state by telephone,  
 11-23 telecopier, or other electronic ~~[another]~~ means that does not  
 11-24 provide an original record may not be excluded from evidence on an  
 11-25 objection based on the means of transmission.

11-26 (f) In a proceeding under this chapter, a tribunal of this  
 11-27 state shall permit a party or witness residing outside this ~~[in~~  
 11-28 ~~another]~~ state to be deposed or to testify under penalty of perjury  
 11-29 by telephone, audiovisual means, or other electronic means at a  
 11-30 designated tribunal or other location ~~[in that state]~~. A tribunal  
 11-31 of this state shall cooperate with other tribunals ~~[a tribunal of~~  
 11-32 ~~another state]~~ in designating an appropriate location for the  
 11-33 deposition or testimony.

11-34 SECTION 28. Section 159.317, Family Code, is amended to  
 11-35 read as follows:

11-36 Sec. 159.317. COMMUNICATIONS BETWEEN TRIBUNALS. A tribunal  
 11-37 of this state may communicate with a tribunal outside this ~~[of~~  
 11-38 ~~another]~~ state ~~[or of a foreign country or political subdivision]~~  
 11-39 in a record or ~~[r]~~ by telephone, electronic mail, or by other means,  
 11-40 to obtain information concerning the laws, the legal effect of a  
 11-41 judgment, decree, or order of that tribunal, and the status of a  
 11-42 proceeding ~~[in the other state, foreign country, or political~~  
 11-43 ~~subdivision]~~. A tribunal of this state may furnish similar  
 11-44 information by similar means to a tribunal outside this state ~~[of~~  
 11-45 ~~another state or of a foreign country or political subdivision]~~.

11-46 SECTION 29. Section 159.318, Family Code, is amended to  
 11-47 read as follows:

11-48 Sec. 159.318. ASSISTANCE WITH DISCOVERY. A tribunal of  
 11-49 this state may:

11-50 (1) request a tribunal outside this ~~[of another]~~ state  
 11-51 to assist in obtaining discovery; and

11-52 (2) on request, compel a person over whom the tribunal  
 11-53 has jurisdiction to respond to a discovery order issued by a  
 11-54 tribunal outside this ~~[of another]~~ state.

11-55 SECTION 30. Section 159.319(a), Family Code, is amended to  
 11-56 read as follows:

11-57 (a) A support enforcement agency or tribunal of this state  
 11-58 shall disburse promptly any amounts received under a support order,  
 11-59 as directed by the order. The agency or tribunal shall furnish to a  
 11-60 requesting party or tribunal of another state or a foreign country a  
 11-61 certified statement by the custodian of the record of the amounts  
 11-62 and dates of all payments received.

11-63 SECTION 31. The heading of Subchapter E, Chapter 159,  
 11-64 Family Code, is amended to read as follows:

11-65 SUBCHAPTER E. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF  
 11-66 PARENTAGE

11-67 SECTION 32. Section 159.401, Family Code, is amended to  
 11-68 read as follows:

11-69 Sec. 159.401. ESTABLISHMENT OF ~~[PETITION TO ESTABLISH]~~

12-1 SUPPORT ORDER. (a) If a support order entitled to recognition  
 12-2 under this chapter has not been issued, a responding tribunal of  
 12-3 this state with personal jurisdiction over the parties may issue a  
 12-4 support order if:

12-5 (1) the individual seeking the order resides outside  
 12-6 this [in another] state; or

12-7 (2) the support enforcement agency seeking the order  
 12-8 is located outside this [in another] state.

12-9 (b) The tribunal may issue a temporary child support order  
 12-10 if the tribunal determines that such an [the] order is appropriate  
 12-11 and the individual ordered to pay is:

12-12 (1) a presumed father of the child;

12-13 (2) ~~[a man]~~ petitioning to have his paternity  
 12-14 adjudicated;

12-15 (3) ~~[a man]~~ identified as the father of the child  
 12-16 through genetic testing;

12-17 (4) an alleged father who has declined to submit to  
 12-18 genetic testing;

12-19 (5) ~~[a man]~~ shown by clear and convincing evidence to  
 12-20 be the father of the child;

12-21 (6) an acknowledged father as provided by applicable  
 12-22 state law;

12-23 (7) the mother of the child; or

12-24 (8) an individual who has been ordered to pay child  
 12-25 support in a previous proceeding and the order has not been reversed  
 12-26 or vacated.

12-27 (c) On finding, after notice and an opportunity to be heard,  
 12-28 that an obligor owes a duty of support, the tribunal shall issue a  
 12-29 support order directed to the obligor and may issue other orders  
 12-30 under Section 159.305.

12-31 SECTION 33. Subchapter E, Chapter 159, Family Code, is  
 12-32 amended by adding Section 159.402 to read as follows:

12-33 Sec. 159.402. PROCEEDING TO DETERMINE PARENTAGE. A  
 12-34 tribunal of this state authorized to determine parentage of a child  
 12-35 may serve as a responding tribunal in a proceeding to determine  
 12-36 parentage of a child brought under this chapter or a law or  
 12-37 procedure substantially similar to this chapter.

12-38 SECTION 34. The heading to Subchapter F, Chapter 159,  
 12-39 Family Code, is amended to read as follows:

12-40 SUBCHAPTER F. ENFORCEMENT OF SUPPORT ORDER ~~[OF ANOTHER STATE]~~  
 12-41 WITHOUT REGISTRATION

12-42 SECTION 35. Section 159.506, Family Code, is amended to  
 12-43 read as follows:

12-44 Sec. 159.506. CONTEST BY OBLIGOR. (a) An obligor may  
 12-45 contest the validity or enforcement of an income-withholding order  
 12-46 issued in another state and received directly by an employer in this  
 12-47 state by registering the order in a tribunal of this state and [+]

12-48 ~~[-]~~ filing a contest to that order as provided in  
 12-49 ~~[under]~~ Subchapter G~~[-]~~ or otherwise

12-50 ~~[-]~~ contesting the order in the same manner as if the  
 12-51 order had been issued by a tribunal of this state.

12-52 (b) The obligor shall give notice of the contest to:

12-53 (1) a support enforcement agency providing services to  
 12-54 the obligee;

12-55 (2) each employer that has directly received an  
 12-56 income-withholding order relating to the obligor; and

12-57 (3) the person designated to receive payments in the  
 12-58 income-withholding order or ~~[to the obligee]~~, if no person is  
 12-59 designated, to the obligee.

12-60 SECTION 36. Section 159.507(a), Family Code, is amended to  
 12-61 read as follows:

12-62 (a) A party or support enforcement agency seeking to enforce  
 12-63 a support order or an income-withholding order, or both, issued in  
 12-64 ~~[by a tribunal of]~~ another state or a foreign support order may send  
 12-65 the documents required for registering the order to a support  
 12-66 enforcement agency of this state.

12-67 SECTION 37. Sections 159.601, 159.602, 159.603, and  
 12-68 159.604, Family Code, are designated as Part 1, Subchapter G,  
 12-69 Chapter 159, Family Code, and a heading for that part is added to

13-1 read as follows:

13-2 PART 1. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER

13-3 SECTION 38. Section 159.601, Family Code, is amended to  
 13-4 read as follows:

13-5 Sec. 159.601. REGISTRATION OF ORDER FOR ENFORCEMENT. A  
 13-6 support order or income-withholding order issued in [by a tribunal  
 13-7 of] another state or a foreign support order may be registered in  
 13-8 this state for enforcement.

13-9 SECTION 39. Sections 159.602(a), (b), and (d), Family Code,  
 13-10 are amended to read as follows:

13-11 (a) Except as otherwise provided by Section 159.706, a [A]  
 13-12 support order or income-withholding order of another state or a  
 13-13 foreign support order may be registered in this state by sending  
 13-14 [to] the following records to the appropriate tribunal in this  
 13-15 state:

13-16 (1) a letter of transmittal to the tribunal requesting  
 13-17 registration and enforcement;

13-18 (2) two copies, including one certified copy, of the  
 13-19 order to be registered, including any modification of the order;

13-20 (3) a sworn statement by the person requesting  
 13-21 registration or a certified statement by the custodian of the  
 13-22 records showing the amount of any arrearage;

13-23 (4) the name of the obligor and, if known:

13-24 (A) the obligor's address and social security  
 13-25 number;

13-26 (B) the name and address of the obligor's  
 13-27 employer and any other source of income of the obligor; and

13-28 (C) a description of and the location of property  
 13-29 of the obligor in this state not exempt from execution; and

13-30 (5) except as otherwise provided by Section 159.312,  
 13-31 the name and address of the obligee and, if applicable, the person  
 13-32 to whom support payments are to be remitted.

13-33 (b) On receipt of a request for registration, the  
 13-34 registering tribunal shall cause the order to be filed as an order  
 13-35 of a tribunal of another state or a foreign support order  
 13-36 [judgment], together with one copy of the documents and  
 13-37 information, regardless of their form.

13-38 (d) If two or more orders are in effect, the person  
 13-39 requesting registration shall:

13-40 (1) furnish [provide] to the tribunal a copy of each  
 13-41 support order asserted to be in effect in addition to [and] the  
 13-42 documents specified in this section;

13-43 (2) specify [identify] the order alleged to be the  
 13-44 controlling order, if any; and

13-45 (3) specify [state] the amount of consolidated arrears  
 13-46 [arrearages], if any.

13-47 SECTION 40. Section 159.603, Family Code, is amended to  
 13-48 read as follows:

13-49 Sec. 159.603. EFFECT OF REGISTRATION FOR ENFORCEMENT.

13-50 (a) A support order or income-withholding order issued in another  
 13-51 state or a foreign support order is registered when the order is  
 13-52 filed in the registering tribunal of this state.

13-53 (b) A registered support order issued in another state or a  
 13-54 foreign country is enforceable in the same manner and is subject to  
 13-55 the same procedures as an order issued by a tribunal of this state.

13-56 (c) Except as otherwise provided in this subchapter, a  
 13-57 tribunal of this state shall recognize and enforce, but may not  
 13-58 modify, a registered support order if the issuing tribunal had  
 13-59 jurisdiction.

13-60 SECTION 41. Section 159.604, Family Code, is amended to  
 13-61 read as follows:

13-62 Sec. 159.604. CHOICE OF LAW. (a) Except as otherwise  
 13-63 provided by Subsection (d), the law of the issuing state or foreign  
 13-64 country governs:

13-65 (1) the nature, extent, amount, and duration of  
 13-66 current payments under a registered support order;

13-67 (2) the computation and payment of arrearages and  
 13-68 accrual of interest on the arrearages under the support order; and

13-69 (3) the existence and satisfaction of other

14-1 obligations under the support order.

14-2 (b) In a proceeding for arrears [~~arrearages~~] under a  
14-3 registered support order, the statute of limitation of this state,  
14-4 or of the issuing state or foreign country, whichever is longer,  
14-5 applies.

14-6 (c) A responding tribunal of [~~in~~] this state shall apply the  
14-7 procedures and remedies of this state to enforce current support  
14-8 and collect arrears [~~arrearages~~] and interest due on a support  
14-9 order of another state or a foreign country registered in this  
14-10 state.

14-11 (d) After a tribunal of this state or another state  
14-12 determines which [~~order~~] is the controlling order and issues an  
14-13 order consolidating arrears [~~arrearages~~], if any, the tribunal of  
14-14 this state shall prospectively apply the law of the state or foreign  
14-15 country issuing the controlling order, including that state's or  
14-16 country's law on interest on arrears [~~arrearages~~], on current and  
14-17 future support, and on consolidated arrears [~~arrearages~~].

14-18 SECTION 42. Sections 159.605, 159.606, 159.607, and  
14-19 159.608, Family Code, are designated as Part 2, Subchapter G,  
14-20 Chapter 159, Family Code, and a heading for that part is added to  
14-21 read as follows:

14-22 PART 2. CONTEST OF VALIDITY OR ENFORCEMENT

14-23 SECTION 43. Section 159.605, Family Code, is amended to  
14-24 read as follows:

14-25 Sec. 159.605. NOTICE OF REGISTRATION OF ORDER. (a) When a  
14-26 support order or income-withholding order issued in another state  
14-27 or a foreign support order is registered, the registering tribunal  
14-28 of this state shall notify the nonregistering party. The notice  
14-29 must be accompanied by a copy of the registered order and the  
14-30 documents and relevant information accompanying the order.

14-31 (b) A notice [~~under this section~~] must inform the  
14-32 nonregistering party:

14-33 (1) that a registered order is enforceable as of the  
14-34 date of registration in the same manner as an order issued by a  
14-35 tribunal of this state;

14-36 (2) that a hearing to contest the validity or  
14-37 enforcement of the registered order must be requested within 20  
14-38 days after notice unless the registered order is under Section  
14-39 159.707;

14-40 (3) that failure to contest the validity or  
14-41 enforcement of the registered order in a timely manner [~~+~~

14-42 [~~(A)~~] will result in confirmation of the order  
14-43 and enforcement of the order and the alleged arrearages; and

14-44 [~~(B)~~ ~~precludes further contest of that order with~~  
14-45 ~~respect to any matter that could have been asserted; and~~]

14-46 (4) of the amount of any alleged arrearages.

14-47 (c) If the registering party asserts that two or more orders  
14-48 are in effect, the notice [~~under this section~~] must also:

14-49 (1) identify [~~+~~

14-50 [~~(A)~~] the two or more orders and the [~~, including~~  
14-51 ~~which~~] order [~~is~~] alleged by the registering party [~~person~~] to be  
14-52 the controlling order [~~+~~] and

14-53 [~~(B)~~] the consolidated arrears [~~arrearages~~], if  
14-54 any;

14-55 (2) notify the nonregistering party of the right to a  
14-56 determination of which [~~order~~] is the controlling order;

14-57 (3) state that the procedures provided in Subsection  
14-58 (b) apply to the determination of which [~~order~~] is the controlling  
14-59 order; and

14-60 (4) state that failure to contest the validity or  
14-61 enforcement of the order alleged to be the controlling order in a  
14-62 timely manner may result in confirmation that the order is the  
14-63 controlling order.

14-64 (d) On registration of an income-withholding order for  
14-65 enforcement, the support enforcement agency or the registering  
14-66 tribunal shall notify the obligor's employer under Chapter 158.

14-67 SECTION 44. Section 159.606, Family Code, is amended to  
14-68 read as follows:

14-69 Sec. 159.606. PROCEDURE TO CONTEST VALIDITY OR ENFORCEMENT

15-1 OF REGISTERED SUPPORT ORDER. (a) A nonregistering party seeking  
15-2 to contest the validity or enforcement of a registered support  
15-3 order in this state shall request a hearing within the time required  
15-4 by Section 159.605 [~~20 days after notice of the registration~~]. The  
15-5 nonregistering party may seek [~~under Section 159.607~~] to [+  
15-6 [~~(1)~~] vacate the registration, to [+  
15-7 [~~(2)~~] assert any defense to an allegation of  
15-8 noncompliance with the registered order, [+] or to  
15-9 [~~(3)~~] contest the remedies being sought or the amount  
15-10 of any alleged arrearages under Section 159.607.

15-11 (b) If the nonregistering party fails to contest the  
15-12 validity or enforcement of the registered support order in a timely  
15-13 manner, the order is confirmed by operation of law.

15-14 (c) If a nonregistering party requests a hearing to contest  
15-15 the validity or enforcement of the registered support order, the  
15-16 registering tribunal shall schedule the matter for hearing and give  
15-17 notice to the parties of the date, time, and place of the hearing.

15-18 SECTION 45. Section 159.607, Family Code, is amended to  
15-19 read as follows:

15-20 Sec. 159.607. CONTEST OF REGISTRATION OR ENFORCEMENT.

15-21 (a) A party contesting the validity or enforcement of a registered  
15-22 support order or seeking to vacate the registration has the burden  
15-23 of proving one or more of the following defenses:

15-24 (1) the issuing tribunal lacked personal jurisdiction  
15-25 over the contesting party;

15-26 (2) the order was obtained by fraud;

15-27 (3) the order has been vacated, suspended, or modified  
15-28 by a later order;

15-29 (4) the issuing tribunal has stayed the order pending  
15-30 appeal;

15-31 (5) there is a defense under the law of this state to  
15-32 the remedy sought;

15-33 (6) full or partial payment has been made;

15-34 (7) the statute of limitation under Section 159.604  
15-35 precludes enforcement of some or all of the alleged arrearages; or

15-36 (8) the alleged controlling order is not the  
15-37 controlling order.

15-38 (b) If a party presents evidence establishing a full or  
15-39 partial defense under Subsection (a), a tribunal may stay  
15-40 enforcement of the registered support order, continue the  
15-41 proceeding to permit production of additional relevant evidence,  
15-42 and issue other appropriate orders. An uncontested portion of the  
15-43 registered support order may be enforced by all remedies available  
15-44 under the law of this state.

15-45 (c) If the contesting party does not establish a defense  
15-46 under Subsection (a) to the validity or enforcement of the  
15-47 registered support order, the registering tribunal shall issue an  
15-48 order confirming the order.

15-49 SECTION 46. Section 159.608, Family Code, is amended to  
15-50 read as follows:

15-51 Sec. 159.608. CONFIRMED ORDER. Confirmation of a  
15-52 registered support order, whether by operation of law or after  
15-53 notice and hearing, precludes further contest of the order with  
15-54 respect to any matter that could have been asserted at the time of  
15-55 registration.

15-56 SECTION 47. Sections 159.609, 159.610, 159.611, 159.612,  
15-57 159.613, and 159.614, Family Code, are designated as Part 3,  
15-58 Subchapter G, Chapter 159, Family Code, and a heading is added for  
15-59 that part to read as follows:

15-60 PART 3. REGISTRATION AND MODIFICATION OF CHILD SUPPORT ORDER OF  
15-61 ANOTHER STATE

15-62 SECTION 48. Section 159.609, Family Code, is amended to  
15-63 read as follows:

15-64 Sec. 159.609. PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF  
15-65 ANOTHER STATE FOR MODIFICATION. A party or support enforcement  
15-66 agency seeking to modify, or to modify and enforce, a child support  
15-67 order issued in another state shall register that order in this  
15-68 state in the same manner provided in Sections 159.601 through  
15-69 159.608 [~~159.601-159.604~~] if the order has not been registered. A

16-1 petition for modification may be filed at the same time as a request  
16-2 for registration, or later. The pleading must specify the grounds  
16-3 for modification.

16-4 SECTION 49. Section 159.610, Family Code, is amended to  
16-5 read as follows:

16-6 Sec. 159.610. EFFECT OF REGISTRATION FOR MODIFICATION. A  
16-7 tribunal of this state may enforce a child support order of another  
16-8 state registered for purposes of modification in the same manner as  
16-9 if the order had been issued by a tribunal of this state, but the  
16-10 registered support order may be modified only if the requirements  
16-11 of Section 159.611 or ~~[7]159.613 [7, or 159.615]~~ have been met.

16-12 SECTION 50. Section 159.611, Family Code, is amended by  
16-13 amending Subsections (a), (c), (d), and (e) and adding Subsection  
16-14 (f) to read as follows:

16-15 (a) If [Except as provided by] Section 159.613 does not  
16-16 apply [159.615], on petition a tribunal of this state may modify a  
16-17 child support order issued in another state that is [and]  
16-18 registered in this state [only] if, [Section 159.613 does not apply  
16-19 and] after notice and hearing, the tribunal finds that:

16-20 (1) the following requirements are met:

16-21 (A) the child, the obligee who is an individual,  
16-22 and the obligor do not reside in the issuing state;

16-23 (B) a petitioner who is a nonresident of this  
16-24 state seeks modification; and

16-25 (C) the respondent is subject to the personal  
16-26 jurisdiction of the tribunal of this state; or

16-27 (2) this state is the ~~[state of]~~ residence of the  
16-28 child, or a party who is an individual is subject to the personal  
16-29 jurisdiction of the tribunal of this state, and all of the parties  
16-30 who are individuals have filed consents in a record in the issuing  
16-31 tribunal for a tribunal of this state to modify the support order  
16-32 and assume continuing, exclusive jurisdiction.

16-33 (c) A [Except as provided by Section 159.615, a] tribunal of  
16-34 this state may not modify any aspect of a child support order that  
16-35 may not be modified under the law of the issuing state, including  
16-36 the duration of the obligation of support [7, that may not be  
16-37 modified under the law of the issuing state]. If two or more  
16-38 tribunals have issued child support orders for the same obligor and  
16-39 same child, the order that controls and must be so recognized under  
16-40 Section 159.207 establishes the aspects of the support order that  
16-41 are nonmodifiable.

16-42 (d) In a proceeding to modify a child support order, the law  
16-43 of the state that is determined to have issued the initial  
16-44 controlling order governs the duration of the obligation of  
16-45 support. The obligor's fulfillment of the duty of support  
16-46 established by that order precludes imposition of a further  
16-47 obligation of support by a tribunal of this state.

16-48 (e) On issuance of an order by a tribunal of this state  
16-49 modifying a child support order issued in another state, the  
16-50 tribunal of this state becomes the tribunal of continuing,  
16-51 exclusive jurisdiction.

16-52 (f) Notwithstanding Subsections (a) through (e) of this  
16-53 section and Section 159.201(b), a tribunal of this state retains  
16-54 jurisdiction to modify an order issued by a tribunal of this state  
16-55 if:

16-56 (1) one party resides in another state; and

16-57 (2) the other party resides outside the United States.

16-58 ~~[(c) In a proceeding to modify a child support order, the~~  
16-59 ~~law of the state that is determined to have issued the initial~~  
16-60 ~~controlling order governs the duration of the obligation of~~  
16-61 ~~support. The obligor's fulfillment of the duty of support~~  
16-62 ~~established by that order precludes imposition of a further~~  
16-63 ~~obligation of support by a tribunal of this state.]~~

16-64 SECTION 51. Section 159.612, Family Code, is amended to  
16-65 read as follows:

16-66 Sec. 159.612. RECOGNITION OF ORDER MODIFIED IN ANOTHER  
16-67 STATE. If a child support order issued by a tribunal of this state  
16-68 is modified by a tribunal of another state that assumed  
16-69 jurisdiction under the Uniform Interstate Family Support Act, a

17-1 tribunal of this state:

17-2 (1) may enforce the order that was modified only as to  
 17-3 arrears [~~arrearages~~] and interest accruing before the  
 17-4 modification;

17-5 (2) may provide appropriate relief for violations of  
 17-6 the order that occurred before the effective date of the  
 17-7 modification; and

17-8 (3) shall recognize the modifying order of the other  
 17-9 state, on registration, for the purpose of enforcement.

17-10 SECTION 52. Section 159.613(b), Family Code, is amended to  
 17-11 read as follows:

17-12 (b) A tribunal of this state exercising jurisdiction under  
 17-13 this section shall apply the provisions of Subchapters B and C, this  
 17-14 subchapter, [Sections 159.101 through 159.209] and [159.601  
 17-15 through 159.614 and] the procedural and substantive law of this  
 17-16 state to the proceeding for enforcement or modification.  
 17-17 Subchapters D, E, F, H, and I [Sections 159.301 through 159.507 and  
 17-18 159.701 through 159.802] do not apply.

17-19 SECTION 53. Section 159.615, Family Code, is designated as  
 17-20 Part 4, Subchapter G, Chapter 159, Family Code, and a heading for  
 17-21 that part is added to read as follows:

17-22 PART 4. REGISTRATION AND MODIFICATION OF FOREIGN CHILD SUPPORT  
 17-23 ORDER

17-24 SECTION 54. Section 159.615, Family Code, is amended to  
 17-25 read as follows:

17-26 Sec. 159.615. JURISDICTION TO MODIFY CHILD SUPPORT ORDER OF  
 17-27 FOREIGN COUNTRY [~~OR POLITICAL SUBDIVISION~~]. (a) Except as  
 17-28 otherwise provided by Section 159.711, if [if] a foreign country  
 17-29 lacks or [political subdivision that is a state] refuses to  
 17-30 exercise jurisdiction to modify its child support order pursuant to  
 17-31 its laws [or may not under its law modify its order], a tribunal of  
 17-32 this state may assume jurisdiction to modify the child support  
 17-33 order and bind all individuals subject to the personal jurisdiction  
 17-34 of the tribunal regardless of whether the[+]

17-35 [(-)] consent to modification of a child support order  
 17-36 otherwise required of the individual [has been given] under Section  
 17-37 159.611 has been given[+] or whether  
 17-38 [(-)] the individual seeking modification is a  
 17-39 resident of this state or of the foreign country [or political  
 17-40 subdivision].

17-41 (b) An order issued by a tribunal of this state modifying a  
 17-42 foreign child support order under this section is the controlling  
 17-43 order.

17-44 SECTION 55. Part 4, Subchapter G, Chapter 159, Family Code,  
 17-45 as designated by this Act, is amended by adding Section 159.616 to  
 17-46 read as follows:

17-47 Sec. 159.616. PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF  
 17-48 FOREIGN COUNTRY FOR MODIFICATION. A party or support enforcement  
 17-49 agency seeking to modify, or to modify and enforce, a foreign child  
 17-50 support order not under the Convention may register that order in  
 17-51 this state under Sections 159.601 through 159.608 if the order has  
 17-52 not been registered. A petition for modification may be filed at  
 17-53 the same time as a request for registration or at another time. The  
 17-54 petition must specify the grounds for modification.

17-55 SECTION 56. The heading to Subchapter H, Chapter 159,  
 17-56 Family Code, is amended to read as follows:

17-57 SUBCHAPTER H. SUPPORT PROCEEDING UNDER CONVENTION [DETERMINATION  
 17-58 OF PARENTAGE]

17-59 SECTION 57. Section 159.701, Family Code, is amended to  
 17-60 read as follows:

17-61 Sec. 159.701. DEFINITIONS. In this subchapter:

17-62 (1) "Application" means a request under the Convention  
 17-63 by an obligee or obligor, or on behalf of a child, made through a  
 17-64 central authority for assistance from another central authority.

17-65 (2) "Central authority" means the entity designated by  
 17-66 the United States or a foreign country described in Section  
 17-67 159.102(5)(D) to perform the functions specified in the Convention.

17-68 (3) "Convention support order" means a support order  
 17-69 of a tribunal of a foreign country described in Section

18-1 159.102(5)(D).

18-2 (4) "Direct request" means a petition filed by an  
 18-3 individual in a tribunal of this state in a proceeding involving an  
 18-4 obligee, obligor, or child residing outside the United States.

18-5 (5) "Foreign central authority" means the entity  
 18-6 designated by a foreign country described in Section 159.102(5)(D)  
 18-7 to perform the functions specified in the Convention.

18-8 (6) "Foreign support agreement":

18-9 (A) means an agreement for support in a record  
 18-10 that:

18-11 (i) is enforceable as a support order in the  
 18-12 country of origin;

18-13 (ii) has been:

18-14 (a) formally drawn up or registered as  
 18-15 an authentic instrument by a foreign tribunal; or

18-16 (b) authenticated by, or concluded,  
 18-17 registered, or filed with a foreign tribunal; and

18-18 (iii) may be reviewed and modified by a  
 18-19 foreign tribunal; and

18-20 (B) includes a maintenance arrangement or  
 18-21 authentic instrument under the Convention.

18-22 (7) "United States central authority" means the  
 18-23 secretary of the United States Department of Health and Human  
 18-24 Services. [PROCEEDING TO DETERMINE PARENTAGE. A court of this  
 18-25 state authorized to determine the parentage of a child may serve as  
 18-26 a responding tribunal in a proceeding to determine parentage  
 18-27 brought under this chapter or a law substantially similar to this  
 18-28 chapter.]

18-29 SECTION 58. Subchapter H, Chapter 159, Family Code, is  
 18-30 amended by adding Sections 159.702 through 159.713 to read as  
 18-31 follows:

18-32 Sec. 159.702. APPLICABILITY. This subchapter applies only  
 18-33 to a support proceeding under the Convention. In such a proceeding,  
 18-34 if a provision of this subchapter is inconsistent with Subchapters  
 18-35 B through G, this subchapter controls.

18-36 Sec. 159.703. RELATIONSHIP OF OFFICE OF ATTORNEY GENERAL TO  
 18-37 UNITED STATES CENTRAL AUTHORITY. The office of the attorney  
 18-38 general of this state is recognized as the agency designated by the  
 18-39 United States central authority to perform specific functions under  
 18-40 the Convention.

18-41 Sec. 159.704. INITIATION BY OFFICE OF ATTORNEY GENERAL OF  
 18-42 SUPPORT PROCEEDING UNDER CONVENTION. (a) In a support proceeding  
 18-43 under this subchapter, the office of the attorney general of this  
 18-44 state shall:

18-45 (1) transmit and receive applications; and

18-46 (2) initiate or facilitate the institution of a  
 18-47 proceeding regarding an application in a tribunal of this state.

18-48 (b) The following support proceedings are available to an  
 18-49 obligee under the Convention:

18-50 (1) recognition or recognition and enforcement of a  
 18-51 foreign support order;

18-52 (2) enforcement of a support order issued or  
 18-53 recognized in this state;

18-54 (3) establishment of a support order if there is no  
 18-55 existing order, including, if necessary, determination of  
 18-56 parentage of a child;

18-57 (4) establishment of a support order if recognition of  
 18-58 a foreign support order is refused under Section 159.708(b)(2),  
 18-59 (4), or (9);

18-60 (5) modification of a support order of a tribunal of  
 18-61 this state; and

18-62 (6) modification of a support order of a tribunal of  
 18-63 another state or a foreign country.

18-64 (c) The following support proceedings are available under  
 18-65 the Convention to an obligor against which there is an existing  
 18-66 support order:

18-67 (1) recognition of an order suspending or limiting  
 18-68 enforcement of an existing support order of a tribunal of this  
 18-69 state;

19-1 (2) modification of a support order of a tribunal of  
 19-2 this state; and

19-3 (3) modification of a support order of a tribunal of  
 19-4 another state or a foreign country.

19-5 (d) A tribunal of this state may not require security, bond,  
 19-6 or deposit, however described, to guarantee the payment of costs  
 19-7 and expenses in proceedings under the Convention.

19-8 Sec. 159.705. DIRECT REQUEST. (a) A petitioner may file a  
 19-9 direct request seeking establishment or modification of a support  
 19-10 order or determination of parentage of a child. In the proceeding,  
 19-11 the law of this state applies.

19-12 (b) A petitioner may file a direct request seeking  
 19-13 recognition and enforcement of a support order or support  
 19-14 agreement. In the proceeding, Sections 159.706 through 159.713  
 19-15 apply.

19-16 (c) In a direct request for recognition and enforcement of a  
 19-17 Convention support order or foreign support agreement:

19-18 (1) a security, bond, or deposit is not required to  
 19-19 guarantee the payment of costs and expenses; and

19-20 (2) an obligee or obligor that in the issuing country  
 19-21 has benefited from free legal assistance is entitled to benefit, at  
 19-22 least to the same extent, from any free legal assistance provided  
 19-23 for by the law of this state under the same circumstances.

19-24 (d) A petitioner filing a direct request is not entitled to  
 19-25 assistance from the office of the attorney general.

19-26 (e) This subchapter does not prevent the application of laws  
 19-27 of this state that provide simplified, more expeditious rules  
 19-28 regarding a direct request for recognition and enforcement of a  
 19-29 foreign support order or foreign support agreement.

19-30 Sec. 159.706. REGISTRATION OF CONVENTION SUPPORT ORDER.

19-31 (a) Except as otherwise provided in this subchapter, a party who  
 19-32 is an individual or a support enforcement agency seeking  
 19-33 recognition of a Convention support order shall register the order  
 19-34 in this state as provided in Subchapter G.

19-35 (b) Notwithstanding Sections 159.311 and 159.602(a), a  
 19-36 request for registration of a Convention support order must be  
 19-37 accompanied by:

19-38 (1) the complete text of the support order or an  
 19-39 abstract or extract of the support order drawn up by the issuing  
 19-40 foreign tribunal, which may be in the form recommended by the Hague  
 19-41 Conference on Private International Law;

19-42 (2) a record stating that the support order is  
 19-43 enforceable in the issuing country;

19-44 (3) if the respondent did not appear and was not  
 19-45 represented in the proceedings in the issuing country, a record  
 19-46 attesting, as appropriate, either that the respondent had proper  
 19-47 notice of the proceedings and an opportunity to be heard or that the  
 19-48 respondent had proper notice of the support order and an  
 19-49 opportunity to be heard in a challenge or appeal on fact or law  
 19-50 before a tribunal;

19-51 (4) a record showing the amount of arrears, if any, and  
 19-52 the date the amount was calculated;

19-53 (5) a record showing a requirement for automatic  
 19-54 adjustment of the amount of support, if any, and the information  
 19-55 necessary to make the appropriate calculations; and

19-56 (6) if necessary, a record showing the extent to which  
 19-57 the applicant received free legal assistance in the issuing  
 19-58 country.

19-59 (c) A request for registration of a Convention support order  
 19-60 may seek recognition and partial enforcement of the order.

19-61 (d) A tribunal of this state may vacate the registration of  
 19-62 a Convention support order without the filing of a contest under  
 19-63 Section 159.707 only if, acting on its own motion, the tribunal  
 19-64 finds that recognition and enforcement of the order would be  
 19-65 manifestly incompatible with public policy.

19-66 (e) The tribunal shall promptly notify the parties of the  
 19-67 registration or the order vacating the registration of a Convention  
 19-68 support order.

19-69 Sec. 159.707. CONTEST OF REGISTERED CONVENTION SUPPORT

20-1 ORDER. (a) Except as otherwise provided in this subchapter,  
 20-2 Sections 159.605 through 159.608 apply to a contest of a registered  
 20-3 Convention support order.

20-4 (b) A party contesting a registered Convention support  
 20-5 order shall file a contest not later than 30 days after notice of  
 20-6 the registration. If the contesting party does not reside in the  
 20-7 United States, the contest must be filed not later than 60 days  
 20-8 after notice of the registration.

20-9 (c) If the nonregistering party fails to contest the  
 20-10 registered Convention support order by the time specified in  
 20-11 Subsection (b), the order is enforceable.

20-12 (d) A contest of a registered Convention support order may  
 20-13 be based only on grounds set forth in Section 159.708. The  
 20-14 contesting party bears the burden of proof.

20-15 (e) In a contest of a registered Convention support order, a  
 20-16 tribunal of this state:

20-17 (1) is bound by the findings of fact on which the  
 20-18 foreign tribunal based its jurisdiction; and

20-19 (2) may not review the merits of the order.

20-20 (f) A tribunal of this state deciding a contest of a  
 20-21 registered Convention support order shall promptly notify the  
 20-22 parties of its decision.

20-23 (g) A challenge or appeal, if any, does not stay the  
 20-24 enforcement of a Convention support order unless there are  
 20-25 exceptional circumstances.

20-26 Sec. 159.708. RECOGNITION AND ENFORCEMENT OF REGISTERED  
 20-27 CONVENTION SUPPORT ORDER. (a) Except as otherwise provided in  
 20-28 Subsection (b), a tribunal of this state shall recognize and  
 20-29 enforce a registered Convention support order.

20-30 (b) The following grounds are the only grounds on which a  
 20-31 tribunal of this state may refuse recognition and enforcement of a  
 20-32 registered Convention support order:

20-33 (1) recognition and enforcement of the order is  
 20-34 manifestly incompatible with public policy, including the failure  
 20-35 of the issuing tribunal to observe minimum standards of due  
 20-36 process, which include notice and an opportunity to be heard;

20-37 (2) the issuing tribunal lacked personal jurisdiction  
 20-38 consistent with Section 159.201;

20-39 (3) the order is not enforceable in the issuing  
 20-40 country;

20-41 (4) the order was obtained by fraud in connection with  
 20-42 a matter of procedure;

20-43 (5) a record transmitted in accordance with Section  
 20-44 159.706 lacks authenticity or integrity;

20-45 (6) a proceeding between the same parties and having  
 20-46 the same purpose is pending before a tribunal of this state and that  
 20-47 proceeding was the first to be filed;

20-48 (7) the order is incompatible with a more recent  
 20-49 support order involving the same parties and having the same  
 20-50 purpose if the more recent support order is entitled to recognition  
 20-51 and enforcement under this chapter in this state;

20-52 (8) payment, to the extent alleged arrears have been  
 20-53 paid in whole or in part;

20-54 (9) in a case in which the respondent neither appeared  
 20-55 nor was represented in the proceeding in the issuing foreign  
 20-56 country:

20-57 (A) if the law of that country provides for prior  
 20-58 notice of proceedings, the respondent did not have proper notice of  
 20-59 the proceedings and an opportunity to be heard; or

20-60 (B) if the law of that country does not provide  
 20-61 for prior notice of the proceedings, the respondent did not have  
 20-62 proper notice of the order and an opportunity to be heard in a  
 20-63 challenge or appeal on fact or law before a tribunal; or

20-64 (10) the order was made in violation of Section  
 20-65 159.711.

20-66 (c) If a tribunal of this state does not recognize a  
 20-67 Convention support order under Subsection (b)(2), (4), or (9):

20-68 (1) the tribunal may not dismiss the proceeding  
 20-69 without allowing a reasonable time for a party to request the

21-1 establishment of a new Convention support order; and

21-2 (2) the office of the attorney general shall take all  
 21-3 appropriate measures to request a child support order for the  
 21-4 obligee if the application for recognition and enforcement was  
 21-5 received under Section 159.704.

21-6 Sec. 159.709. PARTIAL ENFORCEMENT. If a tribunal of this  
 21-7 state does not recognize and enforce a Convention support order in  
 21-8 its entirety, it shall enforce any severable part of the order. An  
 21-9 application or direct request may seek recognition and partial  
 21-10 enforcement of a Convention support order.

21-11 Sec. 159.710. FOREIGN SUPPORT AGREEMENT. (a) Except as  
 21-12 otherwise provided by Subsections (c) and (d), a tribunal of this  
 21-13 state shall recognize and enforce a foreign support agreement  
 21-14 registered in this state.

21-15 (b) An application or direct request for recognition and  
 21-16 enforcement of a foreign support agreement must be accompanied by:

21-17 (1) the complete text of the foreign support  
 21-18 agreement; and

21-19 (2) a record stating that the foreign support  
 21-20 agreement is enforceable as an order of support in the issuing  
 21-21 country.

21-22 (c) A tribunal of this state may vacate the registration of  
 21-23 a foreign support agreement only if, acting on its own motion, the  
 21-24 tribunal finds that recognition and enforcement would be manifestly  
 21-25 incompatible with public policy.

21-26 (d) In a contest of a foreign support agreement, a tribunal  
 21-27 of this state may refuse recognition and enforcement of the  
 21-28 agreement if it finds:

21-29 (1) recognition and enforcement of the agreement is  
 21-30 manifestly incompatible with public policy;

21-31 (2) the agreement was obtained by fraud or  
 21-32 falsification;

21-33 (3) the agreement is incompatible with a support order  
 21-34 involving the same parties and having the same purpose in this  
 21-35 state, another state, or a foreign country if the support order is  
 21-36 entitled to recognition and enforcement under this chapter in this  
 21-37 state; or

21-38 (4) the record submitted under Subsection (b) lacks  
 21-39 authenticity or integrity.

21-40 (e) A proceeding for recognition and enforcement of a  
 21-41 foreign support agreement must be suspended during the pendency of  
 21-42 a challenge to or appeal of the agreement before a tribunal of  
 21-43 another state or a foreign country.

21-44 Sec. 159.711. MODIFICATION OF CONVENTION CHILD SUPPORT  
 21-45 ORDER. (a) A tribunal of this state may not modify a Convention  
 21-46 child support order if the obligee remains a resident of the foreign  
 21-47 country where the support order was issued unless:

21-48 (1) the obligee submits to the jurisdiction of a  
 21-49 tribunal of this state, either expressly or by defending on the  
 21-50 merits of the case without objecting to the jurisdiction at the  
 21-51 first available opportunity; or

21-52 (2) the foreign tribunal lacks or refuses to exercise  
 21-53 jurisdiction to modify its support order or issue a new support  
 21-54 order.

21-55 (b) If a tribunal of this state does not modify a Convention  
 21-56 child support order because the order is not recognized in this  
 21-57 state, Section 159.708(c) applies.

21-58 Sec. 159.712. PERSONAL INFORMATION; LIMIT ON USE. Personal  
 21-59 information gathered or transmitted under this subchapter may be  
 21-60 used only for the purposes for which it was gathered or transmitted.

21-61 Sec. 159.713. RECORD IN ORIGINAL LANGUAGE; ENGLISH  
 21-62 TRANSLATION. A record filed with a tribunal of this state under  
 21-63 this subchapter must be in the original language and, if not in  
 21-64 English, must be accompanied by an English translation.

21-65 SECTION 59. Section 159.801(a), Family Code, is amended to  
 21-66 read as follows:

21-67 (a) For purposes of this [In this] subchapter, "governor"  
 21-68 includes an individual performing the functions of governor or the  
 21-69 executive authority of a state covered by this chapter.

22-1 SECTION 60. Section 159.802(a), Family Code, is amended to  
22-2 read as follows:

22-3 (a) Before making a demand that the governor of another  
22-4 state surrender an individual charged criminally in this state with  
22-5 having failed to provide for the support of an obligee, the governor  
22-6 of this state may require a prosecutor of this state to  
22-7 demonstrate~~+~~

22-8 [~~(1)~~] that, not less than 60 days previously [~~before~~  
22-9 ~~the date of the demand~~], the obligee had initiated proceedings for  
22-10 support under this chapter~~+~~ or

22-11 [~~(2)~~] that [~~initiating~~] the proceeding would be of no  
22-12 avail.

22-13 SECTION 61. Section 159.901, Family Code, is amended to  
22-14 read as follows:

22-15 Sec. 159.901. UNIFORMITY OF APPLICATION AND CONSTRUCTION.  
22-16 In applying and construing this uniform act [~~chapter~~],  
22-17 consideration must be given to the need to promote uniformity of the  
22-18 law with respect to its [~~the~~] subject matter [~~of this chapter~~] among  
22-19 states that enact it [~~a law similar to this chapter~~].

22-20 SECTION 62. Chapter 159, Family Code, as amended by this  
22-21 Act, applies to proceedings commenced on or after the effective  
22-22 date of this Act to establish a support order, determine parentage  
22-23 of a child, or register, recognize, enforce, or modify a prior  
22-24 support order, determination, or agreement regardless of the date  
22-25 the order, determination, or agreement was issued or entered.

22-26 SECTION 63. This Act takes effect July 1, 2015, if it  
22-27 receives a vote of two-thirds of all the members elected to each  
22-28 house, as provided by Section 39, Article III, Texas Constitution.  
22-29 If this Act does not receive the vote necessary for effect on that  
22-30 date, this Act takes effect on the 91st day after the last day of the  
22-31 legislative session.

22-32

\* \* \* \* \*