

1-1 By: West S.B. No. 285
 1-2 (In the Senate - Filed January 5, 2021; March 3, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 20, 2021, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the administration of and certain procedures under the
 1-20 Title IV-D program for child support enforcement.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 105.008, Family Code, is amended to read
 1-23 as follows:

1-24 Sec. 105.008. RECORD OF SUPPORT ORDER FOR STATE CASE
 1-25 REGISTRY. (a) The clerk of the court shall provide the state case
 1-26 registry with a record of a court order for child support, medical
 1-27 support, and dental support. The record of a support ~~[an]~~ order
 1-28 shall include information provided by the parties on a form
 1-29 developed by the Title IV-D agency. The form shall be completed by
 1-30 the petitioner and submitted to the clerk at the time the order is
 1-31 filed for record.

1-32 (b) The form described by Subsection (a) may include an
 1-33 option for a party to apply for child support services provided by
 1-34 the Title IV-D agency. If a party applies for child support
 1-35 services, the party or the party's authorized representative must
 1-36 sign the form.

1-37 (c) To the extent federal funds are available, the Title
 1-38 IV-D agency shall reimburse the clerk of the court for the costs
 1-39 incurred in providing the record of support order required under
 1-40 this section.

1-41 SECTION 2. Section 111.001(b), Family Code, is amended to
 1-42 read as follows:

1-43 (b) At least once every four years, the Title IV-D agency
 1-44 shall review the child support guidelines under Chapter 154 as
 1-45 required by 42 U.S.C. Section 667(a) and 45 C.F.R. Section 302.56
 1-46 and report the results of the review and any recommendations for any
 1-47 changes to the guidelines and their manner of application to the
 1-48 standing committees of each house of the legislature having
 1-49 jurisdiction over family law issues.

1-50 SECTION 3. Sections 231.0011(c) and (d), Family Code, are
 1-51 amended to read as follows:

1-52 (c) The Title IV-D agency may contract with any county
 1-53 meeting technical system requirements necessary to comply with
 1-54 federal law for provision of Title IV-D services in that county.
 1-55 The clerk of the court of a county participating in the unified
 1-56 enforcement system shall use a record of support order form
 1-57 described by Section 105.008(b) that includes an option for the
 1-58 obligee or obligor to apply for child support services provided by
 1-59 the Title IV-D agency. [All new cases in which support orders are
 1-60 entered in such county after the effective date of a monitoring
 1-61 contract shall be Title IV-D cases. Any other case in the county,

2-1 ~~subject to federal requirements and the agreement of the county and~~
 2-2 ~~the Title IV-D agency, may be included as a Title IV-D case. Any~~
 2-3 ~~obligee under a support order may refuse Title IV-D enforcement~~
 2-4 ~~services unless required to accept such services pursuant to other~~
 2-5 ~~law.]~~

2-6 (d) Counties participating in the unified enforcement
 2-7 system shall monitor all assigned Title IV-D child support
 2-8 [~~registry~~] cases and on delinquency may, subject to the approval of
 2-9 the Title IV-D agency, provide enforcement services through:

- 2-10 (1) direct provision of services by county personnel;
 2-11 (2) subcontracting all or portions of the services to
 2-12 private entities or attorneys; or
 2-13 (3) such other methods as may be approved by the Title
 2-14 IV-D agency.

2-15 SECTION 4. Section 231.104, Family Code, is amended by
 2-16 adding Subsection (c) to read as follows:

2-17 (c) Filing a notice of assignment of support rights, a
 2-18 notice of change of payee under Section 231.105, or a pleading by
 2-19 the Title IV-D agency in a suit under this title is evidence of the
 2-20 assignment of support rights to the Title IV-D agency in that cause
 2-21 and is admissible as evidence of the truth of the assignment of
 2-22 support rights and does not require further authentication or
 2-23 verification.

2-24 SECTION 5. Section 233.018, Family Code, is amended by
 2-25 adding Subsections (c), (d), and (e) to read as follows:

2-26 (c) A party may sign a waiver under this section using a
 2-27 digitized signature.

2-28 (d) A waiver under this section must be:

- 2-29 (1) sworn before a notary public; or
 2-30 (2) executed using an unsworn declaration under
 2-31 Section 132.001, Civil Practice and Remedies Code.

2-32 (e) Notwithstanding Subsection (a)(2), the mailing address
 2-33 of a party shall be omitted if:

- 2-34 (1) the court has previously made a finding and
 2-35 ordered nondisclosure under Section 105.006(c) relating to the
 2-36 parties and the order has not been superseded; or
 2-37 (2) the child support review order contains an agreed
 2-38 finding and order under Section 105.006(c).

2-39 SECTION 6. Section 233.021(c), Family Code, is amended to
 2-40 read as follows:

2-41 (c) The clerk shall deliver by personal service or, if
 2-42 court-ordered, a method of substituted service, a copy of the
 2-43 petition for confirmation of a nonagreed review order and a copy of
 2-44 the order, to each party entitled to service who has not waived
 2-45 service.

2-46 SECTION 7. Section 233.024(a), Family Code, is amended to
 2-47 read as follows:

2-48 (a) On the filing of an agreed child support review order
 2-49 signed by all parties, together with waiver of service, the court
 2-50 shall sign the order not later than the seventh [~~third~~] day after
 2-51 the filing of the order. On expiration of the seventh [~~third~~] day
 2-52 after the filing of the order, the order is considered confirmed by
 2-53 the court by operation of law, regardless of whether the court has
 2-54 signed the order. The court may sign the order before filing the
 2-55 order, but the signed order shall immediately be filed.

2-56 SECTION 8. The changes in law made by this Act to Sections
 2-57 105.008 and 231.0011, Family Code, apply to a suit affecting the
 2-58 parent-child relationship pending in a trial court on or filed on or
 2-59 after the effective date of this Act.

2-60 SECTION 9. The change in law made by this Act to Section
 2-61 233.021(c), Family Code, applies only to a petition for
 2-62 confirmation of a nonagreed order filed on or after the effective
 2-63 date of this Act. A petition filed before the effective date of
 2-64 this Act is governed by the law in effect on the date the petition
 2-65 was filed, and the former law is continued in effect for that
 2-66 purpose.

2-67 SECTION 10. The change in law made by this Act to Section
 2-68 233.024(a), Family Code, applies only to an agreed child support
 2-69 review order filed on or after the effective date of this Act. An

3-1 order filed before the effective date of this Act is governed by the
3-2 law in effect on the date the order was filed, and the former law is
3-3 continued in effect for that purpose.

3-4 SECTION 11. This Act takes effect September 1, 2021.

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