

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 16, 2021

TO: Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1422 by Dutton (Relating to the child support obligation of an obligor during the obligor's confinement in jail or prison.), **As Introduced**

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| No significant fiscal implication to the State is anticipated. |
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The bill would amend the Family Code to provide that a court cannot find a respondent in contempt of court for failure to pay child support where the respondent, or the respondent's attorney if the respondent is detained at the time of the hearing, appears and presents credible evidence that unpaid child support accrued during the obligor's confinement in jail or prison for at least 90 consecutive days and that the obligor did not have sufficient resources to comply with the support order during confinement. Under the bill's provisions, the confinement that provides a defense to contempt could not be due to the obligor's failure to pay child support or for an offense constituting an act of family violence committed against the obligee or the child covered by the support order.

Based on the analysis of the Office of Court Administration and the Office of the Attorney General it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing existing resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General

LBB Staff: JMc, DKN, BH