

By: Shaheen

H.B. No. 604

A BILL TO BE ENTITLED

AN ACT

relating to the duty to pay child support beginning on the date of the child's conception.

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

SECTION 1. Subchapter A, Chapter 154, Family Code, is amended by adding Section 154.0091 to read as follows:

Sec. 154.0091. RETROACTIVE CHILD SUPPORT ON ADJUDICATION OR ACKNOWLEDGMENT OF PATERNITY. (a) Notwithstanding any other provision of this chapter or other law, in any order rendered under Chapter 160, establishing a man's paternity of a child, or in any suit to establish the child support obligation of a man whose paternity has been established by the execution of a valid acknowledgment of paternity in regard to the child under Subchapter D, Chapter 160, the court shall order the man to pay retroactive child support for the child beginning on the earliest possible date of the child's conception, as determined by a physician.

(b) In ordering retroactive child support under this section, the court shall apply the child support guidelines provided by this chapter and, on a proper showing, order the man to pay an equitable portion of all of the prenatal and postnatal health care expenses of the mother and the child.

(c) Notwithstanding Section 157.261 or any other law, interest does not begin to accrue on a retroactive child support payment due under this section until the first anniversary of the

1 date the judge renders the order establishing the obligation.

2 SECTION 2. Section 160.636(g), Family Code, is amended to
3 read as follows:

4 (g) On a finding of parentage, the court shall [~~may~~] order
5 retroactive child support as provided by Section 154.0091 [~~Chapter~~
6 ~~154 and, on a proper showing, order a party to pay an equitable~~
7 ~~portion of all of the prenatal and postnatal health care expenses of~~
8 ~~the mother and the child~~].

9 SECTION 3. Section 160.636(h), Family Code, is repealed.

10 SECTION 4. The changes in law made by this Act with respect
11 to an order adjudicating paternity apply only to an order rendered
12 on or after the effective date of this Act. An order adjudicating
13 paternity rendered before the effective date of this Act is
14 governed by the law in effect on the date the order is rendered, and
15 the former law is continued in effect for that purpose.

16 SECTION 5. The changes in law made by this Act with respect
17 to an acknowledgment of paternity apply only to an acknowledgment
18 of paternity executed on or after the effective date of this Act.
19 An acknowledgment of paternity executed before the effective date
20 of this Act is governed by the law in effect on the date the
21 acknowledgment is executed, and the former law is continued in
22 effect for that purpose.

23 SECTION 6. This Act takes effect September 1, 2023.