

By: Guillen

H.B. No. 187

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requiring a man determined by adjudication or  
3 acknowledgment to be a child's father to pay retroactive child  
4 support beginning on the first day of the calendar month in which  
5 the child's conception occurred.

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

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

9 Sec. 154.0091. RETROACTIVE CHILD SUPPORT ON ADJUDICATION OR  
10 ACKNOWLEDGMENT OF PATERNITY. (a) Notwithstanding any other  
11 provision of this chapter or other law, in any order rendered under  
12 Chapter 160 establishing a man's paternity of a child, or in any  
13 suit to establish the child support obligation of a man whose  
14 paternity has been established by the execution of a valid  
15 acknowledgment of paternity in regard to the child under Subchapter  
16 D, Chapter 160, the court shall order the man to:

17 (1) pay retroactive child support beginning on the  
18 first day of the calendar month of the earliest possible date of the  
19 child's conception, as determined by acknowledgement of the child's  
20 biological parents or standard medical practice, as defined by  
21 Section 171.201, Health and Safety Code; and

22 (2) reimburse the child's mother for an equitable  
23 portion of:

24 (A) the reasonable and necessary medical

1 expenses incurred by the mother and the child during gestation and  
2 delivery and incurred by the mother during postpartum recovery that  
3 are not reimbursed by medical insurance;

4 (B) the cost of materials purchased by the mother  
5 in preparing for the child's birth that are necessary for the  
6 child's health and safety, including:

7 (i) diapers;

8 (ii) a car seat;

9 (iii) a crib;

10 (iv) clothing; and

11 (v) infant formula; and

12 (C) lost wages as a result of time spent  
13 receiving medical attention during gestation, delivery, and  
14 postpartum recovery.

15 (b) In ordering retroactive child support under Subsection  
16 (a)(1), the court shall apply the child support guidelines provided  
17 by this chapter. In ordering reimbursement under Subsection  
18 (a)(2), the court shall consider the specific circumstances of the  
19 mother's gestation, delivery, and any other relevant factor in  
20 determining the amount constituting the equitable portion owed by  
21 the man under that provision.

22 (c) Notwithstanding Section 157.261 or any other law,  
23 interest does not begin to accrue on a retroactive child support  
24 payment due under this section until the first anniversary of the  
25 date the judge renders the order establishing the man's paternity  
26 or the man executes a valid acknowledgment of paternity with  
27 respect to the child, as applicable.

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

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

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

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

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

22 SECTION 6. This Act takes effect September 1, 2025.