

## **BILL ANALYSIS**

Senate Research Center

S.B. 1556  
By: Ogden  
Jurisprudence  
4-1-97  
As Filed

### **DIGEST**

Currently, judges have discretion when determining the amount of child support to be awarded to a child in divorce situations. The attorney general's office has determined that social security benefits can be credited toward child support obligations with or without an agreement between the parties involved. This position does not take into account the obligor parent's other financial assets or income. This bill provides that in determining the amount of child support to be paid by an obligor, the court, when calculating child support benefits, is not required to include social security benefits paid to or for the child as a result of the obligor's retirement or disability.

### **PURPOSE**

As proposed, S.B. 1556 provides that in determining the amount of child support to be paid by an obligor, the court, when calculating child support benefits, is not required to include social security benefits paid to or for the child as a result of the obligor's retirement or disability.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 154C, Family Code, by adding Section 154.132, as follows:

Sec. 154.132. DETERMINATION OF CHILD SUPPORT FOR CHILDREN OF CERTAIN RETIRED OR DISABLED OBLIGORS. Provides that in determining the amount of child support to be paid by an obligor, the court, when calculating child support benefits, is not required to include social security benefits paid to or for the child as a result of the obligor's retirement or disability.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.