

BILL ANALYSIS

Senate Research Center
76R2017 CMR-D

C.S.H.B. 1322
By: King, Phil (Brown)
Jurisprudence
5/13/1999
Committee Report (Substituted)

DIGEST

Current law prohibits county clerks from charging a fee to the Office of the Attorney General child support division, a domestic relations office, or a friend of the court for recording the notice of a child support lien or for release of the lien, but the clerks may charge the fee to attorneys who file child support liens. C.S.H.B. 1322 exempts any other party from the fee, including attorneys, and clarifies the style of the lien notice and release.

PURPOSE

As proposed, C.S.H.B. 1322 sets forth requirements for a child support lien.

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 Section 157.315(b), Family Code, by amending Subsection (b) and adding Subsection (c), to prohibit the county clerk from charging any other party a fee for recording the notice of a child support lien (lien). Require the lien notice to be styled "Notice of Child Support Lien," to qualify of this exemption. Prohibits the county clerk from charging the Title IV-D agency, a domestic relations office, or a friend of the court a fee for recording the release of a lien. Requires the lien to be styled "Release of Child Support Lien." Deletes text requiring the county clerk to collect certain fees.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.