

BILL ANALYSIS

Senate Research Center
76R7154 JMM-D

H.B. 2059
By: Uher (Brown)
Jurisprudence
5/11/1999
Engrossed

DIGEST

Currently, the Family Code sets out guidelines for courts to apply when determining the amount of child support a non-custodial parent, the obligor, is required to pay. These guidelines do not take into consideration disability payments that a child may receive as a result of an obligor's disability. This bill would require a court to subtract the amount that a child receives in disability benefits from the amount of the obligor's support obligation.

PURPOSE

As proposed, H.B. 2059 establishes the method for determining the amount of child support a disabled obligor is required to pay.

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. APPLICATION OF GUIDELINES TO CHILDREN OF CERTAIN DISABLED OBLIGORS. Requires the district court, juvenile court having the same jurisdiction as a district court, or other court expressly given jurisdiction of a suit affecting the parent-child relationship (court) to apply child support guidelines for an obligor who has a disability and who is required to pay support for a child who receives benefits as a result of the obligor's disability, by determining the amount of child support that would be ordered under the child support guidelines and subtracting the amount of benefits or the value of the benefits paid to or for the child as a result of the obligor's disability.

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

SECTION 3. Emergency clause.