

## **BILL ANALYSIS**

Senate Research Center

H.B. 3272  
By: Goodman (Harris)  
Jurisprudence  
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Engrossed

### **DIGEST**

Currently, the Office of Court Administration (OCA) administers a system, in which 36 court masters, through a contract with the Office of the Attorney General (Title IV-D agency), hear child support cases for approximately 40 areas of the state. Most of these cases are not monitored after the court hearing to prevent further child support delinquencies. H.B. 1372 would authorize more child support monitors, requires a plan for the monitoring and tracking of child support payments, including electronic payments, and authorize certain job training.

### **PURPOSE**

As proposed, H.B. 3272 amends regulations regarding the enforcement and collection of child support.

### **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 the heading to Chapter 201B, Family Code, as follows:

#### **SUBCHAPTER B. CHILD SUPPORT MASTER AND COURT MONITOR**

SECTION 2. Amends Section 201.106, Family Code, as follows:

Sec. 201.106. New heading: CHILD SUPPORT COURT MONITOR AND OTHER PERSONNEL. Authorizes the presiding judge to appoint other personnel, including a child support court monitor for each master appointed under this subchapter. Requires the salary of the court monitors to be paid from certain county funds.

SECTION 3. Amends Chapter 201B, Family Code, by adding Section 201.1065, as follows:

Sec. 201.1065. DUTIES OF CHILD SUPPORT COURT MONITOR. Requires the child support monitor to monitor child support cases in which the obligor is placed on probation for failure to comply with a child support order. Sets forth monitoring duties for the monitor.

SECTION 4. Amends Sections 201.107(a) and (b), Family Code, to establish that a court monitor for each master is a state employee. Makes conforming changes.

SECTION 5. Amends Section 231.115, Family Code, as follows:

Sec. 231.115. New heading: UNEMPLOYED AND UNDEREMPLOYED OBLIGORS. Requires the Title IV-D agency (agency) to appropriate state and local entities that provide employment services, rather than assist unemployed noncustodial parents, any unemployed or underemployed obligor, rather than noncustodial parent, who is in arrears in court-ordered child support payments. Deletes text requiring unemployment service for certain children. Makes conforming changes.

SECTION 6. Amends Chapter 234A, Family Code, by adding Sections 234.006 and 234.007, as follows:

Sec. 234.006. DIRECT DEPOSIT OF CHILD SUPPORT PAYMENTS. Authorizes the state

disbursement unit authorized to transmit a child support payment to an obligee by electronic funds transfer if the obligee maintains an account with a financial institution. Authorizes a work group to develop a plan to assist an obligee who does not have an account with a financial institution to obtain an account. Authorizes the work group to determine whether it is feasible and cost-effective for the state to administer an electronic benefits transfer system for child support obligees and to recommend implementation of the system to the agency. Authorizes the agency or a vendor that operates the state disbursement unit to provide for electronic funds transfer. Sets forth procedures for establishing a system of electronic funds transfer that is recommended by the vendor and agreed to by the agency, and for requiring an obligee to comply with the new transfer system.

Sec. 234.007. USE OF ELECTRONIC BENEFITS TRANSFER FOR CHILD SUPPORT PAYMENTS. Requires the agency, in coordination with the Texas Department of Human Services and the comptroller to study the benefits of existing electronic funds transfer systems in order to determine the advisability of using a debit card child support system. Requires the agencies herein to implement such a system, if it is feasible to do so. Requires these agencies to report their findings and progress to the legislature by December 1, 2000.

SECTION 7. Amends Chapter 302A, Labor Code, by adding Section 302.0035, as follows:

Sec. 302.0035. EMPLOYMENT ASSISTANCE PROGRAM FOR CERTAIN PARENTS. Requires the Texas Workforce Commission (commission) to provide employment assistance services to a person who was referred by the Title IV-D agency under Chapter 231, Family Code.

SECTION 8. (a) Requires the agency, the commission, and the office of court administration (office) to conduct a study to determine the effectiveness of referring child support obligors to the employment assistance program in increasing child support collections from obligors.

(b) Requires the agency, the commission, and the office to submit a joint report regarding the results of the study by January 31, 2001.

SECTION 9. (a) Requires the agency to contract with the office to provide certain state and federal funds to establish 36 child support court monitor positions under Section 201.106, Family Code, during the fiscal year beginning September 1, 1999.

(b) Sets forth authority for the office of court administration to take in order to provide the monitors.

SECTION 10. Requires the office and the agency to develop certain guidelines and procedures regarding the implementation of child support monitors.

SECTION 11. Effective date: September 1, 1999.

SECTION 12. Emergency clause.