

BILL ANALYSIS

Senate Research Center
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S.B. 581
By: Harris
Jurisprudence
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As Filed

DIGEST

Currently, an employer in Texas must withhold certain wages for child support and forward the wages to the Attorney General's Office (known as the state's Title IV-D agency) or a county-level domestic relations office. Some ambiguity, however, exists in the regulations governing child support wage collection. It is unclear, for example, whether the employer must forward wages on the actual pay date, rather than days or weeks later; whether the withholdings must be accompanied with the social security numbers of the payor and the payee; or whether an employer is subject to an interest penalty for not complying with the withholding order. S.B. 581 requires employers to make certain changes regarding the retention and distribution of an employee's earnings for child requirements.

PURPOSE

As proposed, S.B. 581 requires employers to make certain changes regarding an employee's earnings for child support requirements.

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 158.103, Family Code, to require an order of withholding to state that the ordered amount is required to be remitted to the person or office named in the order or writ on each pay date. Makes conforming changes.

SECTION 2. Amends Section 158.203(b), Family Code, to require the employer, to include with each payment transmitted, the payor's name and social security number and the payee's name and, if available, social security number. Makes conforming changes.

SECTION 3. Amends Section 158.206(b), Family Code, to provide that an employer, who does not comply with an order or writ of withholding, is liable to the obligor for the amounts withheld, not paid, and certain accrued interest. Makes conforming changes.

SECTION 4. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 5. Emergency clause.