

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 686  
By: Brown  
Jurisprudence  
3/30/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, a child support lien may be filed with the county clerk for past due child support. The clerk may not charge a filing fee to the attorney general's office, a domestic relations office, or a friend of the court. But other individuals filing the lien are charged. C.S.S.B. 686 would amend Section 157.315(b), Family Code, to prohibit any individual from being required to pay a fee for recording a notice of lien or for releasing the lien.

### **PURPOSE**

As proposed, C.S.S.B. 686 prohibits certain individuals from being required to pay a fee in order to file a lien in a child support matter.

### **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, Family Code, by amending Subsection (b) and adding Subsection (c), to prohibit a county clerk from charging any party a fee for recording the notice of a lien. Requires the lien notice to be styled "Notice of Child Support Lien" to qualify for the exemption. Prohibits the county from charging certain persons a fee for recording the release of a lien. Deletes a requirement that the county shall collect fees from the obligor filing the release. Makes conforming and nonsubstantive changes.

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

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 157.315, Family Code, by amending Subsection (b) and (adding Subsection (c), to delete a provision requiring the lien release to be styled "Release of Child Support Lien." Prohibits the county from charging certain persons a fee for recording the release of a lien. Deletes a requirement that the county shall collect fees from the obligor filing the release.