

BILL ANALYSIS

Senate Research Center
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S.B. 886
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Jurisprudence
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As Filed

DIGEST

Currently, domestic relations offices and other friends of the court programs handle child support cases in lieu of the attorney general's office. The domestic relations office collects fees for noncompliance orders. However, because of these offices' largely successful efforts to monitor cases, noncompliance rates are relatively low. The resultant fees do not compensate for the costs of operating these offices, and counties are forced to subsidize the offices' operations. Charging the managing and possessory conservators a fee would offset the operating cost of the domestic relations offices. S.B. 886 would authorize a court to charge a \$5 fee per month to the managing conservator and the possessory conservator.

PURPOSE

As proposed, S.B. 886 authorizes a court to charge a \$5 monthly fee to the managing conservator and the possessory conservator in child support cases.

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 202, Family Code, by adding Section 202.006, as follows:

Sec. 202.006. FEES. Authorizes a court to permit a friend of the court to assess and collect a monthly monitoring fee not to exceed \$5 to be paid by the managing conservator and possessory conservator. Requires the friend of the court to collect the fee. Requires the friend of the court to deposit the fee in certain funds, if the friend is a domestic relations office. Requires all other friends of the court to deliver the fee to the county treasurer. Requires the county treasurer to deposit the fees in the friend of the court fund. Requires the administering entity to use the funds received under this section to provide services under this chapter, if the friend of the court is a domestic relations office. Requires the county's local administrative district judge, for all other friends of the court, to administer the friend of the court fund to assist in providing friend of the court services.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.