

BILL ANALYSIS

Senate Research Center
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H.B. 336
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Jurisprudence
5/11/2001
Engrossed

DIGEST AND PURPOSE

Under current law, the court does not require that a custodial parent establish a separate child support account to receive payments from the noncustodial parent. There is some concern that the money is spent on things other than support of the child. H.B. 336 authorizes the court, on request, to order an accounting of the expenditure of child support payments if the total child support obligation exceeds \$750 per month.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 154A, Family Code, by adding Section 154.0041, as follows:

Sec. 154.0041. ACCOUNTING OF CHILD SUPPORT EXPENDITURES. (a) Authorizes a court, on the request of a party to a child support order and for good cause shown, to order an accounting of the expenditure of child support payments if the total child support obligation exceeds \$750 per month. Prohibits the accounting required by the court order from including a duty to account for money deposited into the account before the 12 months preceding the date of the order.

(b) Authorizes the court, if, after a hearing, it finds that child support payments are not being used for the benefit of the child, to order the obligee to open up a child support account with a financial institution solely for the receipt and use of child support payments.

SECTION 2. (a) Effective date: September 1, 2001.

(b) Provides that, if the Title IV-D agency implements an electronic benefits transfer system under Section 234.007, Family Code, as added by Section 6, Chapter 1072, Acts of the 76th Legislature, Regular Session, 1999, a Title IV-D case in which an electronic benefits transfer is used is exempt from Section 154.0041, Family Code, as added by this Act.