

BILL ANALYSIS

Senate Research Center

H.B. 234
By: Goodman (Harris)
Jurisprudence
4/10/2003
Engrossed

DIGEST AND PURPOSE

Current Family Code provisions allow child support to continue past the eighteenth birthday of a child, if the child is fully enrolled in an accredited secondary school in a program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit. Case law is not clear what is meant under the current statute to be fully enrolled and whether the student actually needs to be attending if enrolled. As proposed, H.B. 234 clarifies the term enrolled, includes an attendance requirement, and allows the court to terminate child support if a child over eighteen years of age fails to comply with enrollment or the minimum attendance requirements in the Education Code.

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 Section 154.002(a), Family Code, to authorize the court to render an original support order or modify an existing order, providing child support past the 18th birthday of the child to be paid only if the child meets certain criteria.

SECTION 2. Amends Section 154.006(a), Family Code, to provide that unless otherwise agreed in writing or expressly provided in the order or as provided by Subsection (b), the child support order terminates on a certain date.

SECTION 3. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.