

BILL ANALYSIS

Senate Research Center

S.B. 1966
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Title IV-D cases are cases regarding child support. There is some ambiguity in statute regarding Title IV-D cases that S.B. 1966 clarifies.

Section 1 of S.B. 1966 clarifies the legislative intent regarding Title IV-D associate judges. This bill explicitly authorizes these judges to hear and render orders on all legal issues related to a Title IV-D case, as they traditionally have done.

Section 2 of S.B. 1966 aligns Texas law with the current Child Support Division practice of requesting that process servers not include addresses in service returns for customers whose child support court cases include a nondisclosure order or a pending request. Currently, courts may order that personal information about a party be protected if the court finds that disclosure of that information would subject the party to harassment, abuse, serious harm, injury, or family violence.

Section 3 allows agreed child support review process orders to be confirmed by the court by operation of law three days after filing. These orders are required to be signed by the court within three days of filing. However, in some cases, judges are not always available to sign these orders within the established timeframe, which can delay the ability of the Child Support Division to start collecting child support payments under the new order. This only applies to agreements that both parties have approved.

As proposed, S.B. 1966 amends current law relating to certain procedures for cases and orders relating to the Title IV-D agency.

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 201.104(e), Family Code, as follows:

(e) Authorizes an associate judge, notwithstanding Subsection (d) and subject to Section 201.1042(g) (relating to prohibiting an associate judge from holding a hearing on the respondent's compliance with certain conditions), to hear and render an order on any matter necessary to be decided in connection with a Title IV-D service, including:

- (1) and (2) makes no changes to these subdivisions;
- (3) and (4) makes nonsubstantive changes to these subdivisions;
- (5) a suit affecting the parent-child relationship; and
- (6) a suit for modification under Chapter 156 (Modification).

SECTION 2. Amends Section 231.118, Family Code, by adding Subsection (d), as follows:

(d) Provides that a return of the process in a suit, notwithstanding Subsection (c), is not required to include the address served if:

(1) a pleading filed in the suit requests a finding under Section 105.006(c) (relating to authorizing the court to order the information not to be disclosed to another party after a certain finding); or

(2) the court has previously made a finding and ordered nondisclosure under Section 105.006(c) relating to the parties and the order has not been superseded.

SECTION 3. Amends Section 233.024(a), Family Code, to provide that, on expiration of the third day after the filing of the order, the order is considered confirmed by the court by operation of law, regardless of whether the court has signed the order.

SECTION 4. (a) Makes application of Section 201.104, Family Code, prospective.

(b) Makes application of Section 231.118, Family Code, prospective.

SECTION 5. Effective date: September 1, 2017.