

SUBJECT: Prohibiting certain findings of contempt

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 7 ayes — Dutton, Dale, Biedermann, Cain, Moody, Schofield, Thierry
0 nays

WITNESSES: For — Heather King, Texas Family Law Foundation; (*Registered, but did not testify*: Emily Gerrick, Texas Fair Defense Project; Steve Bresnen, Texas Family Law Foundation; Gary Wardian)

Against — (*Registered, but did not testify*: Jim Baxa)

BACKGROUND: Family Code, sec. 157.001 allows a court to find an individual who has defaulted on child support obligations in contempt.

DIGEST: HB 161 would prohibit a court from finding a respondent in contempt for failing to pay child support if either the respondent or the respondent's attorney appeared at a hearing with evidence satisfactory to the court that:

- the unpaid child support accrued while the obligor was confined in a jail or prison for at least 90 days for a crime other than family violence or resulting from failure to comply with a child support order; and
- the obligor did not have sufficient resources to comply with the child support order during the period of confinement.

The bill would take effect September 1, 2017, and would apply only to a hearing held on or after that date.