

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1880
By: Thompson (Truan)
International Relations Trade & Technology
5-9-97
Committee Report (Substituted)

DIGEST

In the last 15 years, federal laws, international treaties and state legislation have provided numerous tools to enforce child support, custody and visitation rights. Still, parents and relatives who cannot abide by court orders too often resort to extrajudicial child abduction, imposing emotional damage upon the abducted children and financial damage upon the legal custodians and conservators who fight back. New state laws and services can ease the financial and emotional burdens placed upon parents and their abducted children, speeding the return of children and deterring future abductors. The Judicial Affairs Committee, in the interim, studied parental kidnapping and made a recommendation, suggested by the Attorney General's Office, which would require some time to arrange the diplomatic negotiations and passage of corresponding statutes to implement, to allow the Attorney General's office to negotiate with other nations regarding the enforcement of child support and custody orders.

This bill would allow the Attorney General's Office to pursue negotiations for reciprocal agreements with other nations and federal government or political subdivisions thereof regarding the enforcement of child support and custody orders.

PURPOSE

As proposed, C.S.H.B. 1880 allows the Attorney General's Office to pursue negotiations for reciprocal agreements with other nations and federal government or political subdivisions thereof regarding the enforcement of child support and custody orders.

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 Section 231.002(a), Family Code, to authorize the Title IV-D agency (agency) in accordance with certain provisions and upon approval by and in cooperation with the governor, to pursue negotiations and enter into reciprocal arrangements with the federal government, another state, or a foreign county or a political subdivision of the federal government, state, or foreign county to establish and enforce child support obligations and establish mechanism to enforce an order providing for possession of or access to a child rendered under Chapter 153. Authorizes the agency, in accordance with certain provisions, to spend money appropriated to the agency for child support enforcement to engage in international child support enforcement and to spend other money appropriated to the agency necessary for the agency to conduct the agency's activities under Subdivision (1). Makes conforming changes.

SECTION 2. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 231.002, Family Code, by removing proposed Subdivision (a)(5). Sets forth

Subsection (d) regarding certain negotiations and spending related to child support enforcement.