

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1556  
By: Ogden  
Jurisprudence  
4-9-97  
Committee Report (Substituted)

### **DIGEST**

Currently, judges have discretion when determining the amount of child support to be awarded to a child in divorce situations. The attorney general's office has determined that social security benefits can be credited toward child support obligations with or without an agreement between the parties involved. This position does not take into account the obligor parent's other financial assets or income. This bill provides that in determining the amount of child support to be paid by an obligor, the court, when calculating child support benefits, is not required to include social security benefits paid to or for the child as a result of the obligor's retirement or disability.

### **PURPOSE**

As proposed, C.S.S.B. 1556 provides that in determining the amount of child support to be paid by an obligor, the court, when calculating child support benefits, is not required to include social security benefits paid to or for the child as a result of the obligor's retirement or disability.

### **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 Chapter 154C, Family Code, by adding Section 154.132, as follows:

Sec. 154.132. DETERMINATION OF CHILD SUPPORT FOR CHILDREN OF CERTAIN RETIRED OR DISABLED OBLIGORS. Provides that in determining the amount of child support to be paid by an obligor, the court is not required to include or offset against the obligor's child support obligation the amount or the value of social security retirement child benefits or social security disability child benefits paid or payable to the child.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Chapter 154.132, Family Code, to provide that in determining the amount of child support to be paid by an obligor is not required to include or offset against the obligor's child support obligation the amount or the value of social security retirement child benefits or social security disability child benefits paid or payable to the child.