

## **BILL ANALYSIS**

Senate Research Center

H.B. 145  
By: Thompson (Harris)  
Jurisprudence  
5/11/1999  
Engrossed

### **DIGEST**

Currently, child support is the only type of family support for which wages may be garnished. In 1995, a welfare reform bill included a provision that required spousal maintenance. However, it is difficult to enforce spousal maintenance without a garnishment provision similar to that of child support. H.B. 145 would authorize a court to enforce an order for spousal maintenance by ordering garnishment of the wages of the person ordered to pay the maintenance.

### **PURPOSE**

As proposed, H.B. 145 authorizes a court to enforce an order for spousal maintenance by garnishing the wages of the person who must pay the maintenance.

### **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 8.002, Family Code, as follows:

Sec. 8.002. New heading: ELIGIBILITY FOR MAINTENANCE; COURT ORDER. Authorizes a court to enforce an order for spousal maintenance by ordering garnishment of the wages of the person ordered to pay the maintenance or by any other means available under Section 8.009.

SECTION 2. Effective date: September 1, 1999, but only if the constitutional amendment proposed by the 76h Legislature, Regular Session 1999, allowing garnishment of wages for spousal support, takes effect; otherwise this Act has no effect.

SECTION 3. Emergency clause.