

BILL ANALYSIS

Senate Research Center

H.J.R. 16
By: Thompson (Harris)
Jurisprudence
5/11/1999
Engrossed

DIGEST

Prior to 1995, child support was the only type of family support that could be ordered in Texas and the only type of family support for which wages may be garnished. The 1995 welfare reform bill included a provision for limited spousal maintenance in an attempt to keep a spouse with limited job skills and financial resources off government assistance, but spousal maintenance has been hard to enforce without a garnishment provision. This bill would require the submission to the voters of a constitutional amendment providing that current wages for personal service are subject to garnishment for the enforcement of court-ordered spousal maintenance.

PURPOSE

As proposed, H.J.R. 16 requires the submission to the voters of a constitutional amendment providing that current wages for personal service are subject to garnishment for the enforcement of court-ordered spousal 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 28, Article XVI, Texas Constitution, to provide that no current wages for personal service shall ever be subject to garnishment, except for the enforcement of court-ordered spousal maintenance. Makes conforming changes.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2 , 1999. Sets forth the required language for the ballot.