

BILL ANALYSIS

Senate Research Center
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S.B. 547
By: Harris
Jurisprudence
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As Filed

DIGEST

Currently, claims against a decedent's estate are placed in an order of priority to determine how claims are paid, in case the estate has insufficient funds to pay all of the claims. Court-ordered child support and arrearages reduced to judgment are in the lowest level, or Class 7. This classification means that child support obligations are often not paid or are only paid in the same proportion as credit card debts, which fails to recognize the effect on child poverty and court-ordered obligations. This bill would raise child support obligations to a Class 4, following secured claims.

PURPOSE

As proposed, S.B. 547 raises the priority of certain child support claims in the classification of claims against the estate of a decedent.

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 322, Texas Probate Code, to require that claims against an estate of a decedent be classified and have a priority of payment. Establishes Class 4 as claims for certain child support obligations that have been confirmed and reduced to money judgement, as determined under Chapter 157F, Family Code. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.