

BILL ANALYSIS

Senate Research Center
78R367 JMM-F

H.B. 886
By: Dutton (Averitt)
Jurisprudence
5/5/2003
Engrossed

DIGEST AND PURPOSE

Current Texas law requires a respondent who fails to make child support payments to pay the movant's reasonable attorney's fees and all court costs in addition to the arrearage. Presently, there is no provision for the awarding of attorney's fees when a parent is deprived of possession of or access to a child. H.B. 886 authorizes the awarding of attorney's fees when a court finds that the respondent has failed to comply with an order of possession of or access to a child.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 157.167, Family Code, as follows:

- (b) Requires the court, if the court finds that the respondent has failed to comply with the terms of an order providing for the possession of or access to a child, to order the respondent to pay the movant's reasonable attorney's fees and all court costs in addition to any other remedy.
- (c) Created from existing text.
- (d) Redesignates original Subsection (c) as (d). Makes a conforming change.

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.