

## **BILL ANALYSIS**

Senate Research Center  
83R15639 KKA-F

H.B. 1846  
By: Carter (Paxton)  
Jurisprudence  
5/6/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, the attorney general or a court can stay or halt an order suspending a driver's license under certain circumstances. One of those conditions is that the individual comply with a child support repayment schedule. H.B. 1846 requires an individual to make a child support payment of at least \$200 before the license is reinstated. It also prohibits a licensing authority from accepting an application for a license or license renewal unless the person owing child support has made the required \$200 payment and is in compliance with the remainder of the payment schedule.

H.B. 1846 amends current law relating to suspension or denial of issuance or renewal of a license for failure to pay child support.

### **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 232.008, Family Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Authorizes the court or Title IV-D agency, subject to Subsection (b-1), to stay an order suspending a license conditioned on the individual's compliance with:

- (1) a reasonable repayment schedule that is incorporated in the order;
- (2) the requirements of a reissued and delivered subpoena; or
- (3) the requirements of any court order pertaining to the possession of or access to a child.

(b-1) Prohibits the court or Title IV-D agency from staying an order under Subsection (b)(1) unless the individual makes an immediate partial payment in an amount specified by the court or Title IV-D agency. Prohibits the amount specified from being less than \$200.

SECTION 2. Amends Section 232.0135(b), Family Code, to require a licensing authority that receives the information described by Subsection (a) (relating to authorizing a child support agency to provide notice to a licensing authority concerning an obligor who has failed to pay child support for six months or more that requests the authority to refuse to accept an application for issuance of a license to the obligor or renewal of an existing license of the obligor) to refuse to accept an application for issuance of a license to the obligor or renewal of an existing license of the obligor until the authority is notified by the child support agency that the obligor has, among certain conditions, made an immediate payment of not less than \$200 toward child support arrearages owed and established with the agency a satisfactory repayment schedule for the remainder or is in compliance with a court order for payment of the arrearages.

SECTION 3. (a) Provides that Section 232.008(b-1), Family Code, as added by this Act, applies only to an order suspending a license that is rendered on or after the effective date of this Act. Provides that an order suspending a license rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

(b) Provides that Section 232.0135(b), Family Code, as amended by this Act, applies only to a notice provided under Section 232.0135(a), Family Code, on or after the effective date of this Act. Provides that a notice provided under Section 232.0135(a), Family Code, before the effective date of this Act is governed by the law in effect on the date the notice was provided, and the former law is continued in effect for that purpose.

SECTION 4. Effective date: September 1, 2013.