

By: Hernandez

H.B. No. 4424

A BILL TO BE ENTITLED

AN ACT

relating to operations fees and child support service fees assessed by domestic relations offices.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 110.006, Family Code, is amended to read as follows:

Sec. 110.006. DOMESTIC RELATIONS OFFICE OPERATIONS FEES AND CHILD SUPPORT SERVICE FEES. (a) If an administering entity of a domestic relations office adopts an initial operations fee under Section 203.005(a)(1) or an initial child support service fee under Section 203.005(a)(2), the clerk of the court shall:

(1) collect the operations fee or child support service fee at the time the original suit, motion for modification, or motion for enforcement, as applicable, is filed; and

(2) send the fee to the domestic relations office.

(b) The fees described by Subsection (a) are not filing fees for purposes of Section 110.002 or 110.003.

SECTION 2. Section 203.005(a), Family Code, is amended to read as follows:

(a) The administering entity may authorize a domestic relations office to assess and collect:

(1) an initial operations fee not to exceed \$15 to be paid to the domestic relations office on each [the] filing of an original [a] suit, motion for modification, or motion for

1 enforcement;

2 (2) in a county that has a child support enforcement
3 cooperative agreement with the Title IV-D agency, an initial child
4 support service fee not to exceed \$36 to be paid to the domestic
5 relations office on each [~~the~~] filing of an original [~~a~~] suit,
6 motion for modification, or motion for enforcement;

7 (3) a reasonable application fee to be paid by an
8 applicant requesting services from the office;

9 (4) a reasonable attorney's fee and court costs
10 incurred or ordered by the court;

11 (5) a monthly service fee not to exceed \$3 to be paid
12 annually in advance by a managing conservator and possessory
13 conservator for whom the domestic relations office provides child
14 support services;

15 (6) community supervision fees as provided by Chapter
16 157 if community supervision officers are employed by the domestic
17 relations office;

18 (7) a reasonable fee for preparation of a
19 court-ordered social study;

20 (8) in a county that provides visitation services
21 under Sections 153.014 and 203.004 a reasonable fee to be paid to
22 the domestic relations office at the time the visitation services
23 are provided;

24 (9) a fee to reimburse the domestic relations office
25 for a fee required to be paid under Section 158.503(d) for filing an
26 administrative writ of withholding;

27 (10) a reasonable fee for parenting coordinator

1 services; and

2 (11) a reasonable fee for alternative dispute
3 resolution services.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.