

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 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) If an administering entity of a domestic relations office adopts an initial child support service fee under Section 203.005(a)(2), the clerk of the court shall:

(1) collect the child support service fee at the time the original suit is filed; and

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

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

SECTION 2. Section 203.005(a), Family Code, is amended to

1 read as follows:

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

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

8 (2) in a county that has a child support enforcement
9 cooperative agreement with the Title IV-D agency, an initial child
10 support service fee not to exceed \$36 to be paid to the domestic
11 relations office on the filing of an original [~~a~~] suit;

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

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

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

20 (6) community supervision fees as provided by Chapter
21 157 if community supervision officers are employed by the domestic
22 relations office;

23 (7) a reasonable fee for preparation of a
24 court-ordered social study;

25 (8) in a county that provides visitation services
26 under Sections 153.014 and 203.004 a reasonable fee to be paid to
27 the domestic relations office at the time the visitation services

1 are provided;

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

5 (10) a reasonable fee for parenting coordinator
6 services; and

7 (11) a reasonable fee for alternative dispute
8 resolution services.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 4424 was passed by the House on May 7, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 4424 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 4424 on May 31, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 4424

I certify that H.B. No. 4424 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 29, Nays 2; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 4424 on May 31, 2009, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor