

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1348
By: Goodman (Harris)
Jurisprudence
4/14/1999
Committee Report (Substituted)

DIGEST

Currently, a decedent's estate is prioritized with confinement costs related to the Texas Department of Criminal Justice and claims for repayment of medical assistance, ahead of claims for child support. Consequently, claims against a decedent's estate for delinquent child support fall in the very lowest, "catch-all" category, where there is insufficient money to cover all these claims. C.S.H.B. 1348 prioritizes claims for child support payments ahead of claims for medical assistance, confinement costs, and certain taxes, penalties, and interest against a decedent's estate.

PURPOSE

As proposed, C.S.H.B. 1348 places claims for child support payments ahead of claims for medical assistance, confinement costs, and certain taxes, penalties, and interest against a decedent's estate.

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 provide that claims for certain amounts of money for child support issues that have been confirmed under Chapter 157F, Family Code, are prioritized as Class 4, in a list of claims against a decedent's estate. Makes conforming changes.

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

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 322, Texas Probate Code, to increase the priority of claims for delinquent child support from Class 5 to Class 4.