

BILL ANALYSIS

Senate Research Center
76R1743 JMC-M

S.B. 118
By: Harris
Jurisprudence
2/5/1999
As Filed

DIGEST

Currently, Texas law requires a person convicted of failing to pay child support to pay restitution directly to the eligible person. Payment made directly to a person, rather than through a local registry or the child support division of the Attorney Generals office, will continue to reflect a person's delinquent status because there is no record of the payments. This bill would require a person who is both ordered by a court to pay child support and has been convicted of failure to pay that child support, to pay restitution directly to a local registry or the child support division.

PURPOSE

As proposed, S.B. 118 establishes provisions regarding the payment of restitution for the offense of criminal nonsupport of a child.

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 Article 42.037, Code of Criminal Procedure, by amending Subsection (g) (4) and adding Subsection (n), to provide that if a defendant is convicted of an offense for failing to provide child support in violation of a court order requiring the payment of child support and if the court order required the defendant to pay through a local registry or Title IV-D agency, the order of restitution must require the defendant to make restitution directly to the local registry or Title IV-D agency designated as the place of payment in the child support order.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.