

BILL ANALYSIS

Senate Research Center
79R8241 AJA-D

H.B. 81
By: Riddle (Janek)
Jurisprudence
4/25/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, someone who owes money in back-child support might have unclaimed property with the comptroller's office. This property is immune to seizure by the attorney general. In some cases, the amount of money or property that has defaulted to the comptroller's office might be significant. H.B. 81 allows the comptroller's office to release to the attorney general's office (or the lienholder) certain unclaimed property which belongs to a person against whom a child-support lien has been levied. The payment may not exceed the amount of arrearages owed to the lienholder.

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 74.501, Property Code, by amending Subsection (e) and adding Subsection (f), as follows:

(e) Prohibits the comptroller, except as provided by Subsection (f), from paying certain persons a claim to which this section applies.

(f) Authorizes the comptroller to approve a claim for child support arrearages owed by the reported owner of the property and reflected in a child support lien notice that complies with Section 157.313 (Contents of Child Support Lien Notice), Family Code. Authorizes a claim to be submitted by the lienholder or the attorney general on behalf of the lienholder.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.