

## **BILL ANALYSIS**

Senate Research Center

S.B. 2444  
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Jurisprudence  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Noncustodial, obligor parents must pay child support in an amount based on the calculation of their net resources. In determining an obligor parent's net resources, current law deducts certain expenses off the top of that parent's gross resources. These deductions include Social Security taxes, federal income taxes, state income taxes, union dues, and expenses for the cost of health insurance or cash medical support for the obligor's child ordered by the court under Section 154.182 (Health Care Coverage for Child), Family Code.

Once these deductions have been taken the remaining amount is deemed the obligor parent's net resources. The obligor parent must then pay a percentage of his or her net resources in child support.

As proposed, S.B. 2444 adds nondiscretionary retirement plan contributions to this list of deductions.

### **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 154.062(d), Family Code, to require the court to deduct nondiscretionary retirement plan contributions from resources to determine the net resources available for child support.

SECTION 2. Provides that the change in law made by this Act constitutes a material substantial change of circumstances under Section 156.401 (Grounds for Modification of Child Support), Family Code, sufficient to warrant modification of a court order or a portion of a decree that provides for the support of a child before the effective date of this Act.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.