

1 By \_\_\_\_\_

\_\_\_\_\_ B. No. \_\_\_\_\_

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A BILL TO BE ENTITLED

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AN ACT

5 relating to agreements concerning child support.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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SECTION 1. Section 154.124(c), Family Code, is amended to read as follows:

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(c) Terms of the agreement in the order may be enforced by all remedies available for enforcement of a

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judgment, including contempt, but are not enforceable as a contract [~~terms unless provided by the agreement~~].

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SECTION 2. EFFECTIVE DATE. This Act takes effect September 1, 2003 and applies to all pending and

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future proceedings.

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SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses

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create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three

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several days in each house be suspended, and this rule is hereby suspended.

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1 BILL ANALYSIS

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3 \_\_\_\_B.\_\_\_\_

By\_\_\_\_\_

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5 SUMMARY:

6 This bill amends existing Family Code section 154.124(c).

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8 BACKGROUND:

9 Prior to the recodification of the Family Code agreements in suits affecting the parent-child relationship were all  
10 addressed under the same code section. The legislature passed legislation which prohibited the enforcement of  
11 agreements in suits affecting the parent child relationship as a contract. When the non-substantive recodification of the  
12 Family Code occurred the provisions regarding agreements were divided into agreements involving conservatorship and  
13 agreements involving child support.

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15 PROBLEMS:

16 In the non-substantive recodification of the Family Code the provision prohibiting the enforcement of agreements was  
17 carried forward in the conservatorship section but not the support section.

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19 PURPOSE:

20 The purpose of the proposed legislation is to conform the child support provisions regarding agreements to the pre-  
21 recodificaiton provisions.

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23 RULEMAKING AUTHORITY:

24 This bill creates no additional rulemaking authority.

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26 SECTION-BY-SECTION:

- 27  
28 Section 1: Amends section 154.124(c) to provide that child support agreements are not enforceable as a contract.  
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30 Section 2: Establishes the effective date of the legislation as September 1, 2003.  
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32 Section 3: Emergency Clause.