

1-1 By: Smithee (Senate Sponsor - West) H.B. No. 3538
 1-2 (In the Senate - Received from the House May 11, 2015;
 1-3 May 11, 2015, read first time and referred to Committee on
 1-4 Administration; May 13, 2015, reported favorably by the following
 1-5 vote: Yeas 5, Nays 0; May 13, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Uresti	X			
1-9 Campbell	X			
1-10 Eltife			X	
1-11 Huffines	X			
1-12 Schwertner			X	
1-13 West	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the adoption of the Uniform Interstate Family Support
 1-18 Act of 2008.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 159.102, Family Code, is amended to read
 1-21 as follows:

1-22 Sec. 159.102. DEFINITIONS. In this chapter:

1-23 (1) "Child" means an individual, whether over or under
 1-24 the age of majority, who:

1-25 (A) is or is alleged to be owed a duty of support
 1-26 by the individual's parent; or

1-27 (B) is or is alleged to be the beneficiary of a
 1-28 support order directed to the parent.

1-29 (2) "Child support order" means a support order for a
 1-30 child, including a child who has attained the age of majority under
 1-31 the law of the issuing state or foreign country.

1-32 (3) "Convention" means the Convention on the
 1-33 International Recovery of Child Support and Other Forms of Family
 1-34 Maintenance, concluded at The Hague on November 23, 2007.

1-35 (4) "Duty of support" means an obligation imposed or
 1-36 imposable by law to provide support for a child, spouse, or former
 1-37 spouse, including an unsatisfied obligation to provide support.

1-38 (5) "Foreign country" means a country, including a
 1-39 political subdivision thereof, other than the United States, that
 1-40 authorizes the issuance of support orders and:

1-41 (A) which has been declared under the law of the
 1-42 United States to be a foreign reciprocating country;

1-43 (B) which has established a reciprocal
 1-44 arrangement for child support with this state as provided in
 1-45 Section 159.308;

1-46 (C) which has enacted a law or established
 1-47 procedures for the issuance and enforcement of support orders which
 1-48 are substantially similar to the procedures under this chapter; or

1-49 (D) in which the Convention is in force with
 1-50 respect to the United States.

1-51 (6) "Foreign support order" means a support order of a
 1-52 foreign tribunal.

1-53 (7) "Foreign tribunal" means a court, administrative
 1-54 agency, or quasi-judicial entity of a foreign country which is
 1-55 authorized to establish, enforce, or modify support orders or to
 1-56 determine parentage of a child. The term includes a competent
 1-57 authority under the Convention.

1-58 (8) [~~4~~] "Home state" means the state or foreign
 1-59 country in which a child lived with a parent or a person acting as
 1-60 parent for at least six consecutive months immediately preceding
 1-61 the time of filing of a petition or a comparable pleading for

2-1 support and, if a child is less than six months old, the state or
 2-2 foreign country in which the child lived from birth with any of them
 2-3 ~~[with a parent or a person acting as parent from the time of birth]~~.
 2-4 A period of temporary absence of any of them is counted as part of
 2-5 the six-month or other period.

2-6 (9) ~~[(5)]~~ "Income" includes earnings or other
 2-7 periodic entitlements to money from any source and any other
 2-8 property subject to withholding for support under the law of this
 2-9 state.

2-10 (10) ~~[(6)]~~ "Income-withholding order" means an order
 2-11 or other legal process directed to an obligor's employer, as
 2-12 provided in Chapter 158, to withhold support from the income of the
 2-13 obligor.

2-14 (11) ~~[(7) "Initiating state" means a state from which~~
 2-15 ~~a proceeding is forwarded or in which a proceeding is filed for~~
 2-16 ~~forwarding to a responding state under this chapter or a law or~~
 2-17 ~~procedure substantially similar to this chapter.~~

2-18 ~~[(8)] "Initiating tribunal" means the [authorized]~~
 2-19 ~~tribunal of a state or foreign country from which a petition or~~
 2-20 ~~comparable pleading is forwarded or a petition or comparable~~
 2-21 ~~pleading is filed for forwarding to another state or foreign~~
 2-22 ~~country [in an initiating state].~~

2-23 (12) "Issuing foreign country" means the foreign
 2-24 country in which a tribunal issues a support order or a judgment
 2-25 determining parentage of a child.

2-26 (13) ~~[(9)]~~ "Issuing state" means the state in which a
 2-27 tribunal issues a support order or ~~[renders]~~ a judgment determining
 2-28 parentage of a child.

2-29 (14) ~~[(10)]~~ "Issuing tribunal" means the tribunal of a
 2-30 state or foreign country that issues a support order or ~~[renders]~~ a
 2-31 judgment determining parentage of a child.

2-32 (15) ~~[(11)]~~ "Law" includes decisional and statutory
 2-33 law and rules and regulations having the force of law.

2-34 (16) ~~[(12)]~~ "Obligee" means:
 2-35 (A) an individual to whom a duty of support is or
 2-36 is alleged to be owed or in whose favor a support order ~~[has been~~
 2-37 ~~issued]~~ or a judgment determining parentage of a child has been
 2-38 issued [rendered];

2-39 (B) a foreign country, state, or political
 2-40 subdivision of a state to which the rights under a duty of support
 2-41 or support order have been assigned or that has independent claims
 2-42 based on financial assistance provided to an individual obligee in
 2-43 place of child support; [or]

2-44 (C) an individual seeking a judgment determining
 2-45 parentage of the individual's child; or

2-46 (D) a person that is a creditor in a proceeding
 2-47 under Subchapter H.

2-48 (17) ~~[(13)]~~ "Obligor" means an individual, or the
 2-49 estate of a decedent, that:

2-50 (A) ~~[who]~~ owes or is alleged to owe a duty of
 2-51 support;

2-52 (B) ~~[who]~~ is alleged but has not been adjudicated
 2-53 to be a parent of a child; ~~[or]~~

2-54 (C) ~~[who]~~ is liable under a support order; or

2-55 (D) is a debtor in a proceeding under Subchapter
 2-56 H.

2-57 (18) "Outside this state" means a location in another
 2-58 state or a country other than the United States, whether or not the
 2-59 country is a foreign country.

2-60 (19) ~~[(14)]~~ "Person" means an individual,
 2-61 corporation, business trust, estate, trust, partnership, limited
 2-62 liability company, association, joint venture, public corporation,
 2-63 government or [7] governmental subdivision, agency, or
 2-64 instrumentality, [public corporation,] or any other legal or
 2-65 commercial entity.

2-66 (20) ~~[(15)]~~ "Record" means information that is:

2-67 (A) inscribed on a tangible medium or that is
 2-68 stored in an electronic or other medium; and

2-69 (B) retrievable in a perceivable form.

3-1 (21) [~~(16)~~] "Register" means to file in a tribunal of
 3-2 this state a support order or judgment determining parentage of a
 3-3 child issued in another state or a [in the registry of] foreign
 3-4 country [support orders].

3-5 (22) [~~(17)~~] "Registering tribunal" means a tribunal
 3-6 in which a support order or judgment determining parentage of a
 3-7 child is registered.

3-8 (23) [~~(18)~~] "Responding state" means a state in which
 3-9 a petition or comparable pleading for support or to determine
 3-10 parentage of a child [proceeding] is filed or to which a petition or
 3-11 comparable pleading [proceeding] is forwarded for filing from
 3-12 another [an initiating] state or a foreign country [under this
 3-13 chapter or a law or procedure substantially similar to this
 3-14 chapter].

3-15 (24) [~~(19)~~] "Responding tribunal" means the
 3-16 authorized tribunal in a responding state or foreign country.

3-17 (25) [~~(20)~~] "Spousal support order" means a support
 3-18 order for a spouse or former spouse of the obligor.

3-19 (26) [~~(21)~~] "State" means a state of the United
 3-20 States, the District of Columbia, Puerto Rico, the United States
 3-21 Virgin Islands, or any territory or insular possession subject to
 3-22 the jurisdiction of the United States. The term includes [+
 3-23 [~~(A)~~] an Indian nation or tribe [~~, and~~

3-24 [~~(B)~~] a foreign country or political subdivision
 3-25 that has:

3-26 [~~(i)~~] been declared to be a foreign
 3-27 reciprocating country or political subdivision under federal law;

3-28 [~~(ii)~~] established a reciprocal arrangement
 3-29 for child support with this state as provided by Section 159.308; or

3-30 [~~(iii)~~] enacted a law or established
 3-31 procedures for issuance and enforcement of support orders that are
 3-32 substantially similar to the procedures under this chapter].

3-33 (27) [~~(22)~~] "Support enforcement agency" means a
 3-34 public official, governmental entity, or private agency authorized
 3-35 to [seek]:

3-36 (A) seek enforcement of support orders or laws
 3-37 relating to the duty of support;

3-38 (B) seek establishment or modification of child
 3-39 support;

3-40 (C) request determination of parentage of a
 3-41 child;

3-42 (D) attempt to locate [~~the location of~~] obligors
 3-43 or their assets; or

3-44 (E) request determination of the controlling
 3-45 child support order.

3-46 "Support enforcement agency" does not include a domestic
 3-47 relations office unless that office has entered into a cooperative
 3-48 agreement with the Title IV-D agency to perform duties under this
 3-49 chapter.

3-50 (28) [~~(23)~~] "Support order" means a judgment, decree,
 3-51 order, decision, or directive, whether temporary, final, or subject
 3-52 to modification, issued in a state or foreign country [by a
 3-53 tribunal] for the benefit of a child, a spouse, or a former spouse
 3-54 that provides for monetary support, health care, arrearages,
 3-55 retroactive support, or reimbursement for financial assistance
 3-56 provided to an individual obligee in place of child support. The
 3-57 term [and] may include related costs and fees, interest, income
 3-58 withholding, automatic adjustment, reasonable attorney's fees, and
 3-59 other relief.

3-60 (29) [~~(24)~~] "Tribunal" means a court, administrative
 3-61 agency, or quasi-judicial entity authorized to establish, enforce,
 3-62 or modify support orders or to determine parentage of a child.

3-63 SECTION 2. Section 159.103, Family Code, is amended to read
 3-64 as follows:

3-65 Sec. 159.103. STATE TRIBUNAL AND SUPPORT ENFORCEMENT AGENCY
 3-66 [OF STATE]. (a) The court is the tribunal of this state.

3-67 (b) The office of the attorney general is the support
 3-68 enforcement agency of this state.

3-69 SECTION 3. Sections 159.104(a) and (b), Family Code, are

4-1 amended to read as follows:

4-2 (a) Remedies provided by ~~in~~ this chapter are cumulative
4-3 and do not affect the availability of remedies under other law or ~~[~~
4-4 ~~including]~~ the recognition of a foreign support order ~~[of a foreign~~
4-5 ~~country or political subdivision]~~ on the basis of comity.

4-6 (b) This chapter does not:

4-7 (1) provide the exclusive method of establishing or
4-8 enforcing a support order under the law of this state; or

4-9 (2) grant a tribunal of this state jurisdiction to
4-10 render ~~[a]~~ judgment or issue an order relating to child custody or
4-11 visitation in a proceeding under this chapter.

4-12 SECTION 4. Subchapter B, Chapter 159, Family Code, is
4-13 amended by adding Section 159.105 to read as follows:

4-14 Sec. 159.105. APPLICATION OF CHAPTER TO RESIDENT OF FOREIGN
4-15 COUNTRY AND FOREIGN SUPPORT PROCEEDING. (a) A tribunal of this
4-16 state shall apply Subchapters B through G and, as applicable,
4-17 Subchapter H to a support proceeding involving:

4-18 (1) a foreign support order;

4-19 (2) a foreign tribunal; or

4-20 (3) an obligee, obligor, or child residing in a
4-21 foreign country.

4-22 (b) A tribunal of this state that is requested to recognize
4-23 and enforce a support order on the basis of comity may apply the
4-24 procedural and substantive provisions of Subchapters B through G.

4-25 (c) Subchapter H applies only to a support proceeding under
4-26 the Convention. In such a proceeding, if a provision of Subchapter H
4-27 is inconsistent with Subchapters B through G, Subchapter H
4-28 controls.

4-29 SECTION 5. Section 159.201, Family Code, as amended by
4-30 S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is
4-31 amended to read as follows:

4-32 Sec. 159.201. BASES FOR JURISDICTION OVER NONRESIDENT. (a)
4-33 In a proceeding to establish or enforce a support order or to
4-34 determine parentage of a child, a tribunal of this state may
4-35 exercise personal jurisdiction over a nonresident individual or the
4-36 individual's guardian or conservator if:

4-37 (1) the individual is personally served with citation
4-38 in this state;

4-39 (2) the individual submits to the jurisdiction of this
4-40 state by consent in a record, by entering a general appearance, or
4-41 by filing a responsive document having the effect of waiving any
4-42 contest to personal jurisdiction;

4-43 (3) the individual resided with the child in this
4-44 state;

4-45 (4) the individual resided in this state and provided
4-46 prenatal expenses or support for the child;

4-47 (5) the child resides in this state as a result of the
4-48 acts or directives of the individual;

4-49 (6) the individual engaged in sexual intercourse in
4-50 this state and the child may have been conceived by that act of
4-51 intercourse;

4-52 (7) the individual asserted parentage of a child in
4-53 the paternity registry maintained in this state by the vital
4-54 statistics unit; or

4-55 (8) there is any other basis consistent with the
4-56 constitutions of this state and the United States for the exercise
4-57 of personal jurisdiction.

4-58 (b) The [A tribunal of this state may not use the] bases of
4-59 personal jurisdiction listed in Subsection (a) or in any other law
4-60 of this state may not be used to acquire personal jurisdiction for a
4-61 tribunal of this state to modify a child support order of another
4-62 state unless the requirements of Section 159.611 are met, or, in the
4-63 case of a foreign support order, unless the requirements of Section
4-64 159.615 are met [or 159.615 are satisfied].

4-65 SECTION 6. Section 159.202, Family Code, is amended to read
4-66 as follows:

4-67 Sec. 159.202. DURATION OF PERSONAL JURISDICTION. Personal
4-68 jurisdiction acquired by a tribunal of this state in a proceeding
4-69 under this chapter or other law of this state relating to a support

5-1 order continues as long as the tribunal of this state has
 5-2 continuing, exclusive jurisdiction to modify its order or
 5-3 continuing jurisdiction to enforce its order as provided by ~~under~~
 5-4 Sections 159.205, 159.206, and 159.211.

5-5 SECTION 7. Section 159.203, Family Code, is amended to read
 5-6 as follows:

5-7 Sec. 159.203. INITIATING AND RESPONDING TRIBUNAL OF STATE.
 5-8 Under this chapter, a tribunal of this state may serve as an
 5-9 initiating tribunal to forward proceedings to a tribunal of another
 5-10 state and as a responding tribunal for proceedings initiated in
 5-11 another state or a foreign country.

5-12 SECTION 8. Section 159.204, Family Code, is amended to read
 5-13 as follows:

5-14 Sec. 159.204. SIMULTANEOUS PROCEEDINGS. (a) A tribunal of
 5-15 this state may exercise jurisdiction to establish a support order
 5-16 if the petition or comparable pleading is filed after a pleading is
 5-17 filed in another state or a foreign country only if:

5-18 (1) the petition or comparable pleading in this state
 5-19 is filed before the expiration of the time allowed in the other
 5-20 state or the foreign country for filing a responsive pleading
 5-21 challenging the exercise of jurisdiction by the other state or the
 5-22 foreign country;

5-23 (2) the contesting party timely challenges the
 5-24 exercise of jurisdiction in the other state or the foreign country;
 5-25 and

5-26 (3) if relevant, this state is the home state of the
 5-27 child.

5-28 (b) A tribunal of this state may not exercise jurisdiction
 5-29 to establish a support order if the petition or comparable pleading
 5-30 is filed before a petition or comparable pleading is filed in
 5-31 another state or a foreign country if:

5-32 (1) the petition or comparable pleading in the other
 5-33 state or foreign country is filed before the expiration of the time
 5-34 allowed in this state for filing a responsive pleading challenging
 5-35 the exercise of jurisdiction by this state;

5-36 (2) the contesting party timely challenges the
 5-37 exercise of jurisdiction in this state; and

5-38 (3) if relevant, the other state or foreign country is
 5-39 the home state of the child.

5-40 SECTION 9. Sections 159.205(a), (b), (c), and (d), Family
 5-41 Code, are amended to read as follows:

5-42 (a) A tribunal of this state that has issued a child support
 5-43 order consistent with the law of this state has and shall exercise
 5-44 continuing, exclusive jurisdiction to modify its child support
 5-45 order if the order is the controlling order and:

5-46 (1) at the time of the filing of a request for
 5-47 modification ~~[is filed,]~~ this state is the ~~[state of]~~ residence of
 5-48 the obligor, the individual obligee, or the child for whose benefit
 5-49 the support order is issued; or

5-50 (2) even if this state is not the residence of the
 5-51 obligor, the individual obligee, or the child for whose benefit the
 5-52 support order is issued, the parties consent in a record or in open
 5-53 court that the tribunal of this state may continue to exercise
 5-54 jurisdiction to modify its order.

5-55 (b) A tribunal of this state that has issued a child support
 5-56 order consistent with the law of this state may not exercise
 5-57 continuing, exclusive jurisdiction to modify the order if:

5-58 (1) all of the parties ~~[each party]~~ who are
 5-59 individuals file ~~[is an individual files a]~~ consent in a record with
 5-60 the tribunal of this state that a tribunal of another state that has
 5-61 jurisdiction over at least one of the parties who is an individual
 5-62 or that is located in the state of residence of the child may modify
 5-63 the order and assume continuing, exclusive jurisdiction; or

5-64 (2) the tribunal's order is not the controlling order.

5-65 (c) If a ~~[A]~~ tribunal of another ~~[this]~~ state ~~[shall~~
 5-66 ~~recognize the continuing, exclusive jurisdiction of a tribunal of~~
 5-67 ~~another state if the tribunal of the other state]~~ has issued a child
 5-68 support order pursuant to the Uniform Interstate Family Support Act
 5-69 or a law substantially similar to that Act that modifies a child

6-1 support order of a tribunal of this state, tribunals of this state
 6-2 shall recognize the continuing, exclusive jurisdiction of the
 6-3 tribunal of the other state [~~under a law substantially similar to~~
 6-4 ~~this chapter~~].

6-5 (d) A tribunal of this state that lacks [~~does not have~~]
 6-6 continuing, exclusive jurisdiction to modify a child support order
 6-7 may serve as an initiating tribunal to request a tribunal of another
 6-8 state to modify a support order issued in that state.

6-9 SECTION 10. Section 159.206(a), Family Code, is amended to
 6-10 read as follows:

6-11 (a) A tribunal of this state that has issued a child support
 6-12 order consistent with the law of this state may serve as an
 6-13 initiating tribunal to request a tribunal of another state to
 6-14 enforce:

6-15 (1) the order, if the order:
 6-16 (A) is the controlling order; and
 6-17 (B) has not been modified by a tribunal of
 6-18 another state that assumed jurisdiction under the Uniform
 6-19 Interstate Family Support Act; or

6-20 (2) a money judgment for arrears of support
 6-21 [~~arrearages~~] and interest on the order accrued before a
 6-22 determination that an order of a tribunal of another state is the
 6-23 controlling order.

6-24 SECTION 11. Section 159.207, Family Code, is amended to
 6-25 read as follows:

6-26 Sec. 159.207. DETERMINATION OF CONTROLLING CHILD SUPPORT
 6-27 ORDER. (a) If a proceeding is brought under this chapter and only
 6-28 one tribunal has issued a child support order, the order of that
 6-29 tribunal controls and must be [~~so~~] recognized.

6-30 (b) If a proceeding is brought under this chapter and two or
 6-31 more child support orders have been issued by tribunals of this
 6-32 state, [~~or~~] another state, or a foreign country with regard to the
 6-33 same obligor and same child, a tribunal of this state having
 6-34 personal jurisdiction over both the obligor and individual obligee
 6-35 shall apply the following rules and by order shall [~~to~~] determine
 6-36 [~~by order~~] which order controls and must be recognized:

6-37 (1) if only one of the tribunals would have
 6-38 continuing, exclusive jurisdiction under this chapter, the order of
 6-39 that tribunal controls [~~and must be so recognized~~];

6-40 (2) if more than one of the tribunals would have
 6-41 continuing, exclusive jurisdiction under this chapter:

6-42 (A) an order issued by a tribunal in the current
 6-43 home state of the child controls [~~if an order is issued in the~~
 6-44 ~~current home state of the child~~]; or

6-45 (B) [~~the order most recently issued controls~~] if
 6-46 an order has not been issued in the current home state of the child,
 6-47 the order most recently issued controls; and

6-48 (3) if none of the tribunals would have continuing,
 6-49 exclusive jurisdiction under this chapter, the tribunal of this
 6-50 state shall issue a child support order that controls.

6-51 (c) If two or more child support orders have been issued for
 6-52 the same obligor and same child, on request of a party who is an
 6-53 individual or that is a support enforcement agency, a tribunal of
 6-54 this state having personal jurisdiction over both the obligor and
 6-55 the obligee who is an individual shall determine which order
 6-56 controls under Subsection (b). The request may be filed[+]

6-57 [~~(1)~~] with a registration for enforcement or
 6-58 registration for modification under Subchapter G[+] or may be filed
 6-59 [~~(2)~~] as a separate proceeding.

6-60 (d) A request to determine which is the controlling order
 6-61 must be accompanied by a copy of every [~~each~~] child support order in
 6-62 effect and the applicable record of payments. The requesting party
 6-63 shall give notice of the request to each party whose rights may be
 6-64 affected by the determination.

6-65 (e) The tribunal that issued the controlling order under
 6-66 Subsection (a), (b), or (c) has continuing jurisdiction to the
 6-67 extent provided by [~~under~~] Section 159.205 or 159.206.

6-68 (f) A tribunal of this state that determines by order which
 6-69 [~~order~~] is the controlling order under Subsection (b)(1) or (2) or

7-1 Subsection (c), or that issues a new controlling order under
7-2 Subsection (b)(3), shall state in that order:

7-3 (1) the basis upon which the tribunal made its
7-4 determination;

7-5 (2) the amount of prospective [~~child~~] support, if any;
7-6 and

7-7 (3) the total amount of consolidated arrears
7-8 [~~arrearages~~] and accrued interest, if any, under all of the orders
7-9 after all payments made are credited as provided by [~~under~~] Section
7-10 159.209.

7-11 (g) Within 30 days after issuance of an order determining
7-12 which order is the controlling order, the party obtaining the order
7-13 shall file a certified copy of the controlling order in each
7-14 tribunal that issued or registered an earlier order of child
7-15 support. A party or support enforcement agency obtaining [~~that~~
7-16 ~~obtains~~] the order that [~~and~~] fails to file a certified copy [~~of the~~
7-17 ~~order~~] is subject to appropriate sanctions by a tribunal in which
7-18 the issue of failure to file arises. The failure to file does not
7-19 affect the validity or enforceability of the controlling order.

7-20 (h) An order that has been determined to be the controlling
7-21 order, or a judgment for consolidated arrears of support
7-22 [~~arrearages~~] and interest, if any, made [~~issued~~] under this
7-23 section, must be recognized in proceedings [~~a proceeding~~] under
7-24 this chapter.

7-25 SECTION 12. Section 159.208, Family Code, is amended to
7-26 read as follows:

7-27 Sec. 159.208. CHILD SUPPORT ORDERS FOR TWO OR MORE
7-28 OBLIGEEES. In responding to registrations or petitions for
7-29 enforcement of two or more child support orders in effect at the
7-30 same time with regard to the same obligor and different individual
7-31 obligees, at least one of which was issued by a tribunal of another
7-32 state or a foreign country, a tribunal of this state shall enforce
7-33 those orders in the same manner as if the orders had been issued by a
7-34 tribunal of this state.

7-35 SECTION 13. Section 159.209, Family Code, is amended to
7-36 read as follows:

7-37 Sec. 159.209. CREDIT FOR PAYMENTS. A tribunal of this state
7-38 shall credit amounts collected for a particular period under any
7-39 child [~~a~~] support order against the amounts owed for the same period
7-40 under any other child support order for support of the same child
7-41 issued by a tribunal of this state, [~~or~~] another state, or a foreign
7-42 country.

7-43 SECTION 14. Section 159.210, Family Code, is amended to
7-44 read as follows:

7-45 Sec. 159.210. APPLICATION OF CHAPTER [~~APPLICABILITY~~] TO
7-46 NONRESIDENT SUBJECT TO PERSONAL JURISDICTION. A [~~(a) Except as~~
7-47 ~~provided by Subsection (b), Subchapters D-H do not apply to a~~]
7-48 tribunal of this state exercising personal jurisdiction over a
7-49 nonresident in a proceeding under this chapter or under other law of
7-50 this state relating to a support order or recognizing a foreign
7-51 support order [~~of a foreign country or political subdivision on the~~
7-52 ~~basis of comity. The tribunal shall apply the procedural and~~
7-53 ~~substantive law of this state in a proceeding described by this~~
7-54 ~~subsection.~~

7-55 [~~(b) Notwithstanding Subsection (a), a tribunal of this~~
7-56 ~~state exercising personal jurisdiction over a nonresident in a~~
7-57 ~~proceeding under this chapter or under other law of this state~~
7-58 ~~relating to a support order or recognizing a support order of a~~
7-59 ~~foreign country or political subdivision on the basis of comity]~~
7-60 may [+

7-61 [(1)] receive evidence from outside this [~~another~~]
7-62 state as provided by Section 159.316, [+

7-63 [(2)] communicate with a tribunal outside this [~~of~~
7-64 ~~another~~] state as provided by Section 159.317, [+ and

7-65 [(3)] obtain discovery through a tribunal outside this
7-66 [~~of another~~] state as provided by Section 159.318. In all other
7-67 respects, Subchapters D, E, F, and G do not apply and the tribunal
7-68 shall apply the procedural and substantive law of this state.

7-69 SECTION 15. Section 159.211(b), Family Code, is amended to

8-1 read as follows:

8-2 (b) A tribunal of this state may not modify a spousal
8-3 support order issued by a tribunal of another state or a foreign
8-4 country having continuing, exclusive jurisdiction over that order
8-5 under the law of that state or foreign country.

8-6 SECTION 16. Section 159.301(c), Family Code, is amended to
8-7 read as follows:

8-8 (c) An individual petitioner or a support enforcement
8-9 agency may initiate a proceeding authorized under this chapter by
8-10 filing a petition in an initiating tribunal for forwarding to a
8-11 responding tribunal or by filing a petition or a comparable
8-12 pleading directly in a tribunal of another state or foreign country
8-13 that has or [~~that~~] can obtain personal jurisdiction over the
8-14 respondent.

8-15 SECTION 17. Section 159.304(b), Family Code, is amended to
8-16 read as follows:

8-17 (b) If requested by the responding tribunal, a tribunal of
8-18 this state shall issue a certificate or other document and make
8-19 findings required by the law of the responding state. If the
8-20 responding tribunal [state] is in a foreign country [~~or political~~
8-21 ~~subdivision~~], on request the tribunal of this state shall specify
8-22 the amount of support sought, convert that amount into the
8-23 equivalent amount in the foreign currency under the applicable
8-24 official or market exchange rate as publicly reported, and provide
8-25 any other documents necessary to satisfy the requirements of the
8-26 responding foreign tribunal [state].

8-27 SECTION 18. Sections 159.305(b) and (f), Family Code, are
8-28 amended to read as follows:

8-29 (b) A [Except as prohibited by other law, a] responding
8-30 tribunal of this state, to the extent not prohibited by other law,
8-31 may do one or more of the following:

8-32 (1) establish [issue] or enforce a support order,
8-33 modify a child support order, determine the controlling child
8-34 support order, or determine parentage of a child;

8-35 (2) order an obligor to comply with a support order,
8-36 specifying [and specify] the amount and the manner of compliance;

8-37 (3) order income withholding;

8-38 (4) determine the amount of any arrearages and specify
8-39 a method of payment;

8-40 (5) enforce orders by civil or criminal contempt, or
8-41 both;

8-42 (6) set aside property for satisfaction of the support
8-43 order;

8-44 (7) place liens and order execution on the obligor's
8-45 property;

8-46 (8) order an obligor to keep the tribunal informed of
8-47 the obligor's current residential address, electronic mail
8-48 address, telephone number, employer, address of employment, and
8-49 telephone number at the place of employment;

8-50 (9) issue a bench warrant or capias for an obligor who
8-51 has failed after proper notice to appear at a hearing ordered by the
8-52 tribunal and enter the bench warrant or capias in any local and
8-53 state computer systems for criminal warrants;

8-54 (10) order the obligor to seek appropriate employment
8-55 by specified methods;

8-56 (11) award reasonable attorney's fees and other fees
8-57 and costs; and

8-58 (12) grant any other available remedy.

8-59 (f) If requested to enforce a support order, arrears
8-60 [~~arrearages~~], or [~~a~~] judgment or [~~to~~] modify a support order stated
8-61 in a foreign currency, a responding tribunal of this state shall
8-62 convert the amount stated in the foreign currency to the equivalent
8-63 amount in dollars under the applicable official or market exchange
8-64 rate as publicly reported.

8-65 SECTION 19. Sections 159.307(b), (c), (d), and (e), Family
8-66 Code, are amended to read as follows:

8-67 (b) A support enforcement agency of this state that is
8-68 providing [provides] services to the petitioner shall:

8-69 (1) take all steps necessary to enable an appropriate

9-1 tribunal of [~~in~~] this state, [~~or~~] another state, or a foreign
 9-2 country to obtain jurisdiction over the respondent;

9-3 (2) request an appropriate tribunal to set a date,
 9-4 time, and place for a hearing;

9-5 (3) make a reasonable effort to obtain all relevant
 9-6 information, including information as to income and property of the
 9-7 parties;

9-8 (4) within two days [~~not later than the second day~~],
 9-9 exclusive of [~~excluding~~] Saturdays, Sundays, and legal holidays,
 9-10 after [~~the date of~~] receipt of [~~a written~~] notice in a record from
 9-11 an initiating, responding, or registering tribunal, send a copy of
 9-12 the notice to the petitioner;

9-13 (5) within two days [~~not later than the second day~~],
 9-14 exclusive of [~~excluding~~] Saturdays, Sundays, and legal holidays,
 9-15 after [~~the date of~~] receipt of [~~a written~~] communication in a record
 9-16 from the respondent or the respondent's attorney, send a copy of the
 9-17 communication to the petitioner; and

9-18 (6) notify the petitioner if jurisdiction over the
 9-19 respondent cannot be obtained.

9-20 (c) A support enforcement agency of this state that requests
 9-21 registration of a child support order in this state for enforcement
 9-22 or for modification shall make reasonable efforts [~~to ensure that~~]:

9-23 (1) to ensure that the order to be registered is the
 9-24 controlling order; or

9-25 (2) if two or more child support orders exist and the
 9-26 identity of the controlling order has not been determined, to
 9-27 ensure that a request for such a determination [~~of which order is~~
 9-28 ~~the controlling order~~] is made in a tribunal having jurisdiction to
 9-29 do so [~~to make the determination, if two or more child support~~
 9-30 ~~orders have been issued and a determination of the controlling~~
 9-31 ~~order has not been made~~].

9-32 (d) A support enforcement agency of this state that requests
 9-33 registration and enforcement of a support order, arrears
 9-34 [~~arrearages~~], or a judgment stated in a foreign currency shall
 9-35 convert the amount stated in the foreign currency into [~~to~~] the
 9-36 equivalent amount in dollars under the applicable official or
 9-37 market exchange rate as publicly reported.

9-38 (e) A support enforcement agency of this state shall issue,
 9-39 or request a tribunal of this state to issue, a child support order
 9-40 and an income-withholding order that redirects payment of current
 9-41 support, arrears [~~arrearages~~], and interest if requested to do so
 9-42 by a support enforcement agency of another state under Section
 9-43 159.319.

9-44 SECTION 20. The heading of Section 159.308, Family Code, is
 9-45 amended to read as follows:

9-46 Sec. 159.308. DUTY OF ATTORNEY GENERAL AND GOVERNOR
 9-47 [~~CERTAIN STATE OFFICIALS~~].

9-48 SECTION 21. Section 159.308(b), Family Code, is amended to
 9-49 read as follows:

9-50 (b) The governor may determine that a foreign country [~~or~~
 9-51 ~~political subdivision~~] has established a reciprocal arrangement
 9-52 for child support with this state and take appropriate action for
 9-53 notification of the determination.

9-54 SECTION 22. Section 159.310(b), Family Code, is amended to
 9-55 read as follows:

9-56 (b) The state information agency shall:

9-57 (1) compile and maintain a current list, including
 9-58 addresses, of the tribunals in this state that have jurisdiction
 9-59 under this chapter and any support enforcement agencies in this
 9-60 state and transmit [~~send~~] a copy to the state information agency of
 9-61 every other state;

9-62 (2) maintain a register of names and addresses of
 9-63 tribunals and support enforcement agencies received from other
 9-64 states;

9-65 (3) forward to the appropriate tribunal in the county
 9-66 in this state in which [~~where~~] the obligee who is an individual or
 9-67 the obligor resides, or in which [~~where~~] the obligor's property is
 9-68 believed to be located, all documents concerning a proceeding under
 9-69 this chapter received from another state or a foreign country [~~an~~

10-1 ~~initiating tribunal or the state information agency of the~~
 10-2 ~~initiating state]; and~~

10-3 (4) obtain information concerning the location of the
 10-4 obligor and the obligor's property in this state not exempt from
 10-5 execution, by such means as postal verification and federal or
 10-6 state locator services, examination of telephone directories,
 10-7 requests for the obligor's address from employers, and examination
 10-8 of governmental records, including, to the extent not prohibited by
 10-9 other law, those relating to real property, vital statistics, law
 10-10 enforcement, taxation, motor vehicles, driver's licenses, and
 10-11 social security.

10-12 SECTION 23. Section 159.311(a), Family Code, is amended to
 10-13 read as follows:

10-14 (a) In a proceeding under this chapter, a petitioner seeking
 10-15 to establish a support order, to determine parentage of a child, or
 10-16 to register and modify a support order of a tribunal of another
 10-17 state or foreign country must file a petition. Unless otherwise
 10-18 ordered under Section 159.312, the petition or accompanying
 10-19 documents must provide, so far as known, the name, residential
 10-20 address, and social security numbers of the obligor and the obligee
 10-21 or the parent and alleged parent, and the name, sex, residential
 10-22 address, social security number, and date of birth of each child for
 10-23 whose benefit support is sought or whose parentage is to be
 10-24 determined. Unless filed at the time of registration, the petition
 10-25 must be accompanied by a copy of any support order known to have
 10-26 been issued by another tribunal. The petition may include any other
 10-27 information that may assist in locating or identifying the
 10-28 respondent.

10-29 SECTION 24. Section 159.312, Family Code, is amended to
 10-30 read as follows:

10-31 Sec. 159.312. NONDISCLOSURE OF INFORMATION IN EXCEPTIONAL
 10-32 CIRCUMSTANCES. If a party alleges in an affidavit or pleading under
 10-33 oath that the health, safety, or liberty of a party or child would
 10-34 be jeopardized by disclosure of specific identifying information
 10-35 ~~[regarding the party or the child], that [the identifying]~~
 10-36 ~~information must [shall] be sealed and may not be disclosed to the~~
 10-37 ~~other party or [to] the public. After a hearing in which a tribunal~~
 10-38 ~~takes into consideration [considers] the health, safety, or liberty~~
 10-39 ~~of the party or [the] child, the tribunal may order disclosure of~~
 10-40 ~~information that [if] the tribunal determines to be in the interest~~
 10-41 ~~[that the disclosure serves the interests] of justice.~~

10-42 SECTION 25. Sections 159.313(b) and (c), Family Code, are
 10-43 amended to read as follows:

10-44 (b) If an obligee prevails, a responding tribunal of this
 10-45 state may assess against an obligor filing fees, reasonable
 10-46 attorney's fees, other costs, and necessary travel and other
 10-47 reasonable expenses incurred by the obligee and the obligee's
 10-48 witnesses. The tribunal may not assess fees, costs, or expenses
 10-49 against the obligee or the support enforcement agency of either the
 10-50 initiating ~~[state]~~ or ~~[the]~~ responding state or foreign country,
 10-51 except as provided by other law. Attorney's fees may be taxed as
 10-52 costs, and may be ordered paid directly to the attorney, who may
 10-53 enforce the order in the attorney's own name. Payment of support
 10-54 owed to the obligee has priority over fees, costs, and expenses.

10-55 (c) The tribunal shall order the payment of costs and
 10-56 reasonable attorney's fees if it determines that a hearing was
 10-57 requested primarily for delay. In a proceeding under Subchapter G
 10-58 ~~[pursuant to Sections 159.601 through 159.608]~~, a hearing is
 10-59 presumed to have been requested primarily for delay if a registered
 10-60 support order is confirmed or enforced without change.

10-61 SECTION 26. Section 159.314(c), Family Code, is amended to
 10-62 read as follows:

10-63 (c) The immunity granted by this section does not extend to
 10-64 civil litigation based on acts unrelated to a proceeding under this
 10-65 chapter committed by a party while physically present in this state
 10-66 to participate in the proceeding.

10-67 SECTION 27. Sections 159.316(a), (b), (d), (e), and (f),
 10-68 Family Code, are amended to read as follows:

10-69 (a) The physical presence of a nonresident party who is an

11-1 individual in a tribunal of this state is not required for the
 11-2 establishment, enforcement, or modification of a support order or
 11-3 the rendition of a judgment determining parentage of a child.

11-4 (b) An affidavit, a document substantially complying with
 11-5 federally mandated forms, or a document incorporated by reference
 11-6 in an affidavit or document, that would not be excluded under the
 11-7 hearsay rule if given in person, is admissible in evidence if given
 11-8 under penalty of perjury by a party or witness residing outside this
 11-9 ~~[in another]~~ state.

11-10 (d) Copies of bills for testing for parentage of a child,
 11-11 and for prenatal and postnatal health care of the mother and child
 11-12 ~~[that are]~~ furnished to the adverse party at least ~~[not less than]~~
 11-13 10 days before ~~[the date of]~~ trial are admissible in evidence to
 11-14 prove the amount of the charges billed and that the charges were
 11-15 reasonable, necessary, and customary.

11-16 (e) Documentary evidence transmitted from outside this
 11-17 ~~[another]~~ state to a tribunal of this state by telephone,
 11-18 telecopier, or other electronic ~~[another]~~ means that does not
 11-19 provide an original record may not be excluded from evidence on an
 11-20 objection based on the means of transmission.

11-21 (f) In a proceeding under this chapter, a tribunal of this
 11-22 state shall permit a party or witness residing outside this ~~[in~~
 11-23 ~~another]~~ state to be deposed or to testify under penalty of perjury
 11-24 by telephone, audiovisual means, or other electronic means at a
 11-25 designated tribunal or other location ~~[in that state]~~. A tribunal
 11-26 of this state shall cooperate with other tribunals ~~[a tribunal of~~
 11-27 ~~another state]~~ in designating an appropriate location for the
 11-28 deposition or testimony.

11-29 SECTION 28. Section 159.317, Family Code, is amended to
 11-30 read as follows:

11-31 Sec. 159.317. COMMUNICATIONS BETWEEN TRIBUNALS. A tribunal
 11-32 of this state may communicate with a tribunal outside this ~~[of~~
 11-33 ~~another]~~ state ~~[or of a foreign country or political subdivision]~~
 11-34 in a record or ~~[r]~~ by telephone, electronic mail, or by other means,
 11-35 to obtain information concerning the laws, the legal effect of a
 11-36 judgment, decree, or order of that tribunal, and the status of a
 11-37 proceeding ~~[in the other state, foreign country, or political~~
 11-38 ~~subdivision]~~. A tribunal of this state may furnish similar
 11-39 information by similar means to a tribunal outside this state ~~[of~~
 11-40 ~~another state or of a foreign country or political subdivision]~~.

11-41 SECTION 29. Section 159.318, Family Code, is amended to
 11-42 read as follows:

11-43 Sec. 159.318. ASSISTANCE WITH DISCOVERY. A tribunal of
 11-44 this state may:

11-45 (1) request a tribunal outside this ~~[of another]~~ state
 11-46 to assist in obtaining discovery; and

11-47 (2) on request, compel a person over whom the tribunal
 11-48 has jurisdiction to respond to a discovery order issued by a
 11-49 tribunal outside this ~~[of another]~~ state.

11-50 SECTION 30. Section 159.319(a), Family Code, is amended to
 11-51 read as follows:

11-52 (a) A support enforcement agency or tribunal of this state
 11-53 shall disburse promptly any amounts received under a support order,
 11-54 as directed by the order. The agency or tribunal shall furnish to a
 11-55 requesting party or tribunal of another state or a foreign country a
 11-56 certified statement by the custodian of the record of the amounts
 11-57 and dates of all payments received.

11-58 SECTION 31. The heading to Subchapter E, Chapter 159,
 11-59 Family Code, is amended to read as follows:

11-60 SUBCHAPTER E. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF
 11-61 PARENTAGE

11-62 SECTION 32. Section 159.401, Family Code, is amended to
 11-63 read as follows:

11-64 Sec. 159.401. ESTABLISHMENT OF ~~[PETITION TO ESTABLISH]~~
 11-65 SUPPORT ORDER. (a) If a support order entitled to recognition under
 11-66 this chapter has not been issued, a responding tribunal of this
 11-67 state with personal jurisdiction over the parties may issue a
 11-68 support order if:

11-69 (1) the individual seeking the order resides outside

12-1 this [~~in another~~] state; or

12-2 (2) the support enforcement agency seeking the order
12-3 is located outside this [~~in another~~] state.

12-4 (b) The tribunal may issue a temporary child support order
12-5 if the tribunal determines that such an [~~the~~] order is appropriate
12-6 and the individual ordered to pay is:

12-7 (1) a presumed father of the child;

12-8 (2) [~~a man~~] petitioning to have his paternity
12-9 adjudicated;

12-10 (3) [~~a man~~] identified as the father of the child
12-11 through genetic testing;

12-12 (4) an alleged father who has declined to submit to
12-13 genetic testing;

12-14 (5) [~~a man~~] shown by clear and convincing evidence to
12-15 be the father of the child;

12-16 (6) an acknowledged father as provided by applicable
12-17 state law;

12-18 (7) the mother of the child; or

12-19 (8) an individual who has been ordered to pay child
12-20 support in a previous proceeding and the order has not been reversed
12-21 or vacated.

12-22 (c) On finding, after notice and an opportunity to be heard,
12-23 that an obligor owes a duty of support, the tribunal shall issue a
12-24 support order directed to the obligor and may issue other orders
12-25 under Section 159.305.

12-26 SECTION 33. Subchapter E, Chapter 159, Family Code, is
12-27 amended by adding Section 159.402 to read as follows:

12-28 Sec. 159.402. PROCEEDING TO DETERMINE PARENTAGE. A
12-29 tribunal of this state authorized to determine parentage of a child
12-30 may serve as a responding tribunal in a proceeding to determine
12-31 parentage of a child brought under this chapter or a law or
12-32 procedure substantially similar to this chapter.

12-33 SECTION 34. The heading to Subchapter F, Chapter 159,
12-34 Family Code, is amended to read as follows:

12-35 SUBCHAPTER F. ENFORCEMENT OF SUPPORT ORDER [OF ANOTHER STATE]
12-36 WITHOUT REGISTRATION

12-37 SECTION 35. Section 159.506, Family Code, is amended to
12-38 read as follows:

12-39 Sec. 159.506. CONTEST BY OBLIGOR. (a) An obligor may
12-40 contest the validity or enforcement of an income-withholding order
12-41 issued in another state and received directly by an employer in this
12-42 state by registering the order in a tribunal of this state and [~~+~~

12-43 [~~(1)~~] filing a contest to that order as provided in
12-44 [~~under~~] Subchapter G[~~+~~] or otherwise

12-45 [~~(2)~~] contesting the order in the same manner as if the
12-46 order had been issued by a tribunal of this state.

12-47 (b) The obligor shall give notice of the contest to:

12-48 (1) a support enforcement agency providing services to
12-49 the obligee;

12-50 (2) each employer that has directly received an
12-51 income-withholding order relating to the obligor; and

12-52 (3) the person designated to receive payments in the
12-53 income-withholding order or [~~to the obligee~~], if no person is
12-54 designated, to the obligee.

12-55 SECTION 36. Section 159.507(a), Family Code, is amended to
12-56 read as follows:

12-57 (a) A party or support enforcement agency seeking to enforce
12-58 a support order or an income-withholding order, or both, issued in
12-59 [~~by a tribunal of~~] another state or a foreign support order may send
12-60 the documents required for registering the order to a support
12-61 enforcement agency of this state.

12-62 SECTION 37. Sections 159.601, 159.602, 159.603, and
12-63 159.604, Family Code, are designated as Part 1, Subchapter G,
12-64 Chapter 159, Family Code, and a heading for that part is added to
12-65 read as follows:

12-66 PART 1. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER

12-67 SECTION 38. Section 159.601, Family Code, is amended to
12-68 read as follows:

12-69 Sec. 159.601. REGISTRATION OF ORDER FOR ENFORCEMENT. A

13-1 support order or income-withholding order issued in ~~[by a tribunal~~
 13-2 ~~of]~~ another state or a foreign support order may be registered in
 13-3 this state for enforcement.

13-4 SECTION 39. Sections 159.602(a), (b), and (d), Family Code,
 13-5 are amended to read as follows:

13-6 (a) Except as otherwise provided by Section 159.706, a ~~[A]~~
 13-7 support order or income-withholding order of another state or a
 13-8 foreign support order may be registered in this state by sending
 13-9 ~~[to]~~ the following records to the appropriate tribunal in this
 13-10 state:

13-11 (1) a letter of transmittal to the tribunal requesting
 13-12 registration and enforcement;

13-13 (2) two copies, including one certified copy, of the
 13-14 order to be registered, including any modification of the order;

13-15 (3) a sworn statement by the person requesting
 13-16 registration or a certified statement by the custodian of the
 13-17 records showing the amount of any arrearage;

13-18 (4) the name of the obligor and, if known:

13-19 (A) the obligor's address and social security
 13-20 number;

13-21 (B) the name and address of the obligor's
 13-22 employer and any other source of income of the obligor; and

13-23 (C) a description of and the location of property
 13-24 of the obligor in this state not exempt from execution; and

13-25 (5) except as otherwise provided by Section 159.312,
 13-26 the name and address of the obligee and, if applicable, the person
 13-27 to whom support payments are to be remitted.

13-28 (b) On receipt of a request for registration, the
 13-29 registering tribunal shall cause the order to be filed as an order
 13-30 of a tribunal of another state or a foreign support order
 13-31 ~~[judgment]~~, together with one copy of the documents and
 13-32 information, regardless of their form.

13-33 (d) If two or more orders are in effect, the person
 13-34 requesting registration shall:

13-35 (1) furnish ~~[provide]~~ to the tribunal a copy of each
 13-36 support order asserted to be in effect in addition to ~~[and]~~ the
 13-37 documents specified in this section;

13-38 (2) specify ~~[identify]~~ the order alleged to be the
 13-39 controlling order, if any; and

13-40 (3) specify ~~[state]~~ the amount of consolidated arrears
 13-41 ~~[arrearages]~~, if any.

13-42 SECTION 40. Section 159.603, Family Code, is amended to
 13-43 read as follows:

13-44 Sec. 159.603. EFFECT OF REGISTRATION FOR ENFORCEMENT. (a)
 13-45 A support order or income-withholding order issued in another state
 13-46 or a foreign support order is registered when the order is filed in
 13-47 the registering tribunal of this state.

13-48 (b) A registered support order issued in another state or a
 13-49 foreign country is enforceable in the same manner and is subject to
 13-50 the same procedures as an order issued by a tribunal of this state.

13-51 (c) Except as otherwise provided in this subchapter, a
 13-52 tribunal of this state shall recognize and enforce, but may not
 13-53 modify, a registered support order if the issuing tribunal had
 13-54 jurisdiction.

13-55 SECTION 41. Section 159.604, Family Code, is amended to
 13-56 read as follows:

13-57 Sec. 159.604. CHOICE OF LAW. (a) Except as otherwise
 13-58 provided by Subsection (d), the law of the issuing state or foreign
 13-59 country governs:

13-60 (1) the nature, extent, amount, and duration of
 13-61 current payments under a registered support order;

13-62 (2) the computation and payment of arrearages and
 13-63 accrual of interest on the arrearages under the support order; and

13-64 (3) the existence and satisfaction of other
 13-65 obligations under the support order.

13-66 (b) In a proceeding for arrears ~~[arrearages]~~ under a
 13-67 registered support order, the statute of limitation of this state,
 13-68 or of the issuing state or foreign country, whichever is longer,
 13-69 applies.

14-1 (c) A responding tribunal of ~~in~~ this state shall apply the
 14-2 procedures and remedies of this state to enforce current support
 14-3 and collect arrears [~~arrearages~~] and interest due on a support
 14-4 order of another state or a foreign country registered in this
 14-5 state.

14-6 (d) After a tribunal of this state or another state
 14-7 determines which [~~order~~] is the controlling order and issues an
 14-8 order consolidating arrears [~~arrearages~~], if any, the tribunal of
 14-9 this state shall prospectively apply the law of the state or foreign
 14-10 country issuing the controlling order, including that state's or
 14-11 country's law on interest on arrears [~~arrearages~~], on current and
 14-12 future support, and on consolidated arrears [~~arrearages~~].

14-13 SECTION 42. Sections 159.605, 159.606, 159.607, and
 14-14 159.608, Family Code, are designated as Part 2, Subchapter G,
 14-15 Chapter 159, Family Code, and a heading for that part is added to
 14-16 read as follows:

14-17 PART 2. CONTEST OF VALIDITY OR ENFORCEMENT

14-18 SECTION 43. Section 159.605, Family Code, is amended to
 14-19 read as follows:

14-20 Sec. 159.605. NOTICE OF REGISTRATION OF ORDER. (a) When a
 14-21 support order or income-withholding order issued in another state
 14-22 or a foreign support order is registered, the registering tribunal
 14-23 of this state shall notify the nonregistering party. The notice
 14-24 must be accompanied by a copy of the registered order and the
 14-25 documents and relevant information accompanying the order.

14-26 (b) A notice [~~under this section~~] must inform the
 14-27 nonregistering party:

14-28 (1) that a registered order is enforceable as of the
 14-29 date of registration in the same manner as an order issued by a
 14-30 tribunal of this state;

14-31 (2) that a hearing to contest the validity or
 14-32 enforcement of the registered order must be requested within 20
 14-33 days after notice unless the registered order is under Section
 14-34 159.707;

14-35 (3) that failure to contest the validity or
 14-36 enforcement of the registered order in a timely manner[+
 14-37 [~~(A)~~] will result in confirmation of the order
 14-38 and enforcement of the order and the alleged arrearages; and
 14-39 [~~(B)~~ precludes further contest of that order with
 14-40 respect to any matter that could have been asserted; and]

14-41 (4) of the amount of any alleged arrearages.

14-42 (c) If the registering party asserts that two or more orders
 14-43 are in effect, the notice [~~under this section~~] must also:

14-44 (1) identify[+
 14-45 [~~(A)~~] the two or more orders and the [~~, including~~
 14-46 ~~which~~] order [~~is~~] alleged by the registering party [~~person~~] to be
 14-47 the controlling order[+] and
 14-48 [~~(B)~~] the consolidated arrears [~~arrearages~~], if

14-49 any;

14-50 (2) notify the nonregistering party of the right to a
 14-51 determination of which [~~order~~] is the controlling order;

14-52 (3) state that the procedures provided in Subsection
 14-53 (b) apply to the determination of which [~~order~~] is the controlling
 14-54 order; and

14-55 (4) state that failure to contest the validity or
 14-56 enforcement of the order alleged to be the controlling order in a
 14-57 timely manner may result in confirmation that the order is the
 14-58 controlling order.

14-59 (d) On registration of an income-withholding order for
 14-60 enforcement, the support enforcement agency or the registering
 14-61 tribunal shall notify the obligor's employer under Chapter 158.

14-62 SECTION 44. Section 159.606, Family Code, is amended to
 14-63 read as follows:

14-64 Sec. 159.606. PROCEDURE TO CONTEST VALIDITY OR ENFORCEMENT
 14-65 OF REGISTERED SUPPORT ORDER. (a) A nonregistering party seeking to
 14-66 contest the validity or enforcement of a registered support order
 14-67 in this state shall request a hearing within the time required by
 14-68 Section 159.605 [~~20 days after notice of the registration~~]. The
 14-69 nonregistering party may seek [~~under Section 159.607~~] to[+]

15-1 [~~1~~] vacate the registration, to [~~+~~
 15-2 [~~2~~] assert any defense to an allegation of
 15-3 noncompliance with the registered order, [~~+~~] or to
 15-4 [~~3~~] contest the remedies being sought or the amount
 15-5 of any alleged arrearages under Section 159.607.

15-6 (b) If the nonregistering party fails to contest the
 15-7 validity or enforcement of the registered support order in a timely
 15-8 manner, the order is confirmed by operation of law.

15-9 (c) If a nonregistering party requests a hearing to contest
 15-10 the validity or enforcement of the registered support order, the
 15-11 registering tribunal shall schedule the matter for hearing and give
 15-12 notice to the parties of the date, time, and place of the hearing.

15-13 SECTION 45. Section 159.607, Family Code, is amended to
 15-14 read as follows:

15-15 Sec. 159.607. CONTEST OF REGISTRATION OR ENFORCEMENT. (a)
 15-16 A party contesting the validity or enforcement of a registered
 15-17 support order or seeking to vacate the registration has the burden
 15-18 of proving one or more of the following defenses:

15-19 (1) the issuing tribunal lacked personal jurisdiction
 15-20 over the contesting party;

15-21 (2) the order was obtained by fraud;

15-22 (3) the order has been vacated, suspended, or modified
 15-23 by a later order;

15-24 (4) the issuing tribunal has stayed the order pending
 15-25 appeal;

15-26 (5) there is a defense under the law of this state to
 15-27 the remedy sought;

15-28 (6) full or partial payment has been made;

15-29 (7) the statute of limitation under Section 159.604
 15-30 precludes enforcement of some or all of the alleged arrearages; or

15-31 (8) the alleged controlling order is not the
 15-32 controlling order.

15-33 (b) If a party presents evidence establishing a full or
 15-34 partial defense under Subsection (a), a tribunal may stay
 15-35 enforcement of the registered support order, continue the
 15-36 proceeding to permit production of additional relevant evidence,
 15-37 and issue other appropriate orders. An uncontested portion of the
 15-38 registered support order may be enforced by all remedies available
 15-39 under the law of this state.

15-40 (c) If the contesting party does not establish a defense
 15-41 under Subsection (a) to the validity or enforcement of the
 15-42 registered support order, the registering tribunal shall issue an
 15-43 order confirming the order.

15-44 SECTION 46. Section 159.608, Family Code, is amended to
 15-45 read as follows:

15-46 Sec. 159.608. CONFIRMED ORDER. Confirmation of a
 15-47 registered support order, whether by operation of law or after
 15-48 notice and hearing, precludes further contest of the order with
 15-49 respect to any matter that could have been asserted at the time of
 15-50 registration.

15-51 SECTION 47. Sections 159.609, 159.610, 159.611, 159.612,
 15-52 159.613, and 159.614, Family Code, are designated as Part 3,
 15-53 Subchapter G, Chapter 159, Family Code, and a heading is added for
 15-54 that part to read as follows:

15-55 PART 3. REGISTRATION AND MODIFICATION OF CHILD SUPPORT ORDER OF
 15-56 ANOTHER STATE

15-57 SECTION 48. Section 159.609, Family Code, is amended to
 15-58 read as follows:

15-59 Sec. 159.609. PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF
 15-60 ANOTHER STATE FOR MODIFICATION. A party or support enforcement
 15-61 agency seeking to modify, or to modify and enforce, a child support
 15-62 order issued in another state shall register that order in this
 15-63 state in the same manner provided in Sections 159.601 through
 15-64 159.608 [~~159.601-159.604~~] if the order has not been registered. A
 15-65 petition for modification may be filed at the same time as a request
 15-66 for registration, or later. The pleading must specify the grounds
 15-67 for modification.

15-68 SECTION 49. Section 159.610, Family Code, is amended to
 15-69 read as follows:

16-1 Sec. 159.610. EFFECT OF REGISTRATION FOR MODIFICATION. A
 16-2 tribunal of this state may enforce a child support order of another
 16-3 state registered for purposes of modification in the same manner as
 16-4 if the order had been issued by a tribunal of this state, but the
 16-5 registered support order may be modified only if the requirements
 16-6 of Section 159.611 or ~~[,] 159.613 [, or 159.615]~~ have been met.

16-7 SECTION 50. Section 159.611, Family Code, is amended by
 16-8 amending Subsections (a), (c), (d), and (e) and adding Subsection
 16-9 (f) to read as follows:

16-10 (a) If [Except as provided by] Section 159.613 does not
 16-11 apply [~~159.615~~], on petition a tribunal of this state may modify a
 16-12 child support order issued in another state that is [and]
 16-13 registered in this state [only] if, [Section 159.613 does not apply
 16-14 and] after notice and hearing, the tribunal finds that:

16-15 (1) the following requirements are met:

16-16 (A) the child, the obligee who is an individual,
 16-17 and the obligor do not reside in the issuing state;

16-18 (B) a petitioner who is a nonresident of this
 16-19 state seeks modification; and

16-20 (C) the respondent is subject to the personal
 16-21 jurisdiction of the tribunal of this state; or

16-22 (2) this state is the ~~[state of]~~ residence of the
 16-23 child, or a party who is an individual is subject to the personal
 16-24 jurisdiction of the tribunal of this state, and all of the parties
 16-25 who are individuals have filed consents in a record in the issuing
 16-26 tribunal for a tribunal of this state to modify the support order
 16-27 and assume continuing, exclusive jurisdiction.

16-28 (c) A [Except as provided by Section 159.615, a] tribunal of
 16-29 this state may not modify any aspect of a child support order that
 16-30 may not be modified under the law of the issuing state, including
 16-31 the duration of the obligation of support [, that may not be
 16-32 modified under the law of the issuing state]. If two or more
 16-33 tribunals have issued child support orders for the same obligor and
 16-34 same child, the order that controls and must be so recognized under
 16-35 Section 159.207 establishes the aspects of the support order that
 16-36 are nonmodifiable.

16-37 (d) In a proceeding to modify a child support order, the law
 16-38 of the state that is determined to have issued the initial
 16-39 controlling order governs the duration of the obligation of
 16-40 support. The obligor's fulfillment of the duty of support
 16-41 established by that order precludes imposition of a further
 16-42 obligation of support by a tribunal of this state.

16-43 (e) On issuance of an order by a tribunal of this state
 16-44 modifying a child support order issued in another state, the
 16-45 tribunal of this state becomes the tribunal of continuing,
 16-46 exclusive jurisdiction.

16-47 (f) Notwithstanding Subsections (a) through (e) of this
 16-48 section and Section 159.201(b), a tribunal of this state retains
 16-49 jurisdiction to modify an order issued by a tribunal of this state
 16-50 if:

16-51 (1) one party resides in another state; and

16-52 (2) the other party resides outside the United States.

16-53 ~~[(e) In a proceeding to modify a child support order, the~~
 16-54 ~~law of the state that is determined to have issued the initial~~
 16-55 ~~controlling order governs the duration of the obligation of~~
 16-56 ~~support. The obligor's fulfillment of the duty of support~~
 16-57 ~~established by that order precludes imposition of a further~~
 16-58 ~~obligation of support by a tribunal of this state.]~~

16-59 SECTION 51. Section 159.612, Family Code, is amended to
 16-60 read as follows:

16-61 Sec. 159.612. RECOGNITION OF ORDER MODIFIED IN ANOTHER
 16-62 STATE. If a child support order issued by a tribunal of this state
 16-63 is modified by a tribunal of another state that assumed
 16-64 jurisdiction under the Uniform Interstate Family Support Act, a
 16-65 tribunal of this state:

16-66 (1) may enforce the order that was modified only as to
 16-67 arrears [~~arrearages~~] and interest accruing before the
 16-68 modification;

16-69 (2) may provide appropriate relief for violations of

17-1 the order that occurred before the effective date of the
17-2 modification; and

17-3 (3) shall recognize the modifying order of the other
17-4 state, on registration, for the purpose of enforcement.

17-5 SECTION 52. Section 159.613(b), Family Code, is amended to
17-6 read as follows:

17-7 (b) A tribunal of this state exercising jurisdiction under
17-8 this section shall apply the provisions of Subchapters B and C, this
17-9 subchapter, [Sections 159.101 through 159.209] and [159.601
17-10 through 159.614 and] the procedural and substantive law of this
17-11 state to the proceeding for enforcement or modification.
17-12 Subchapters D, E, F, H, and I [Sections 159.301 through 159.507 and
17-13 159.701 through 159.802] do not apply.

17-14 SECTION 53. Section 159.615, Family Code, is designated as
17-15 Part 4, Subchapter G, Chapter 159, Family Code, and a heading for
17-16 that part is added to read as follows:

17-17 PART 4. REGISTRATION AND MODIFICATION OF FOREIGN CHILD SUPPORT

17-18 ORDER

17-19 SECTION 54. Section 159.615, Family Code, is amended to
17-20 read as follows:

17-21 Sec. 159.615. JURISDICTION TO MODIFY CHILD SUPPORT ORDER OF
17-22 FOREIGN COUNTRY [OR POLITICAL SUBDIVISION]. (a) Except as
17-23 otherwise provided by Section 159.711, if [If] a foreign country
17-24 lacks or [political subdivision that is a state] refuses to
17-25 exercise jurisdiction to modify its child support order pursuant to
17-26 its laws [or may not under its law modify its order], a tribunal of
17-27 this state may assume jurisdiction to modify the child support
17-28 order and bind all individuals subject to the personal jurisdiction
17-29 of the tribunal regardless of whether the[+]

17-30 [(-)] consent to modification of a child support order
17-31 otherwise required of the individual [has been given] under Section
17-32 159.611 has been given[+] or whether

17-33 [(-)] the individual seeking modification is a
17-34 resident of this state or of the foreign country [or political
17-35 subdivision].

17-36 (b) An order issued by a tribunal of this state modifying a
17-37 foreign child support order under this section is the controlling
17-38 order.

17-39 SECTION 55. Part 4, Subchapter G, Chapter 159, Family Code,
17-40 as designated by this Act, is amended by adding Section 159.616 to
17-41 read as follows:

17-42 Sec. 159.616. PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF
17-43 FOREIGN COUNTRY FOR MODIFICATION. A party or support enforcement
17-44 agency seeking to modify, or to modify and enforce, a foreign child
17-45 support order not under the Convention may register that order in
17-46 this state under Sections 159.601 through 159.608 if the order has
17-47 not been registered. A petition for modification may be filed at the
17-48 same time as a request for registration or at another time. The
17-49 petition must specify the grounds for modification.

17-50 SECTION 56. The heading to Subchapter H, Chapter 159,
17-51 Family Code, is amended to read as follows:

17-52 SUBCHAPTER H. SUPPORT PROCEEDING UNDER CONVENTION [DETERMINATION
17-53 OF PARENTAGE]

17-54 SECTION 57. Section 159.701, Family Code, is amended to
17-55 read as follows:

17-56 Sec. 159.701. DEFINITIONS. In this subchapter:

17-57 (1) "Application" means a request under the Convention
17-58 by an obligee or obligor, or on behalf of a child, made through a
17-59 central authority for assistance from another central authority.

17-60 (2) "Central authority" means the entity designated by
17-61 the United States or a foreign country described in Section
17-62 159.102(5)(D) to perform the functions specified in the Convention.

17-63 (3) "Convention support order" means a support order
17-64 of a tribunal of a foreign country described in Section
17-65 159.102(5)(D).

17-66 (4) "Direct request" means a petition filed by an
17-67 individual in a tribunal of this state in a proceeding involving an
17-68 obligee, obligor, or child residing outside the United States.

17-69 (5) "Foreign central authority" means the entity

18-1 designated by a foreign country described in Section 159.102(5)(D)
 18-2 to perform the functions specified in the Convention.

18-3 (6) "Foreign support agreement":

18-4 (A) means an agreement for support in a record
 18-5 that:

18-6 (i) is enforceable as a support order in the
 18-7 country of origin;

18-8 (ii) has been:

18-9 (a) formally drawn up or registered as
 18-10 an authentic instrument by a foreign tribunal; or

18-11 (b) authenticated by, or concluded,
 18-12 registered, or filed with a foreign tribunal; and

18-13 (iii) may be reviewed and modified by a
 18-14 foreign tribunal; and

18-15 (B) includes a maintenance arrangement or
 18-16 authentic instrument under the Convention.

18-17 (7) "United States central authority" means the
 18-18 secretary of the United States Department of Health and Human

18-19 Services. [PROCEEDING TO DETERMINE PARENTAGE. A court of this
 18-20 state authorized to determine the parentage of a child may serve as

18-21 a responding tribunal in a proceeding to determine parentage
 18-22 brought under this chapter or a law substantially similar to this
 18-23 chapter.]

18-24 SECTION 58. Subchapter H, Chapter 159, Family Code, is
 18-25 amended by adding Sections 159.702 through 159.713 to read as
 18-26 follows:

18-27 Sec. 159.702. APPLICABILITY. This subchapter applies only
 18-28 to a support proceeding under the Convention. In such a proceeding,
 18-29 if a provision of this subchapter is inconsistent with Subchapters
 18-30 B through G, this subchapter controls.

18-31 Sec. 159.703. RELATIONSHIP OF OFFICE OF ATTORNEY GENERAL TO
 18-32 UNITED STATES CENTRAL AUTHORITY. The office of the attorney
 18-33 general of this state is recognized as the agency designated by the
 18-34 United States central authority to perform specific functions under
 18-35 the Convention.

18-36 Sec. 159.704. INITIATION BY OFFICE OF ATTORNEY GENERAL OF
 18-37 SUPPORT PROCEEDING UNDER CONVENTION. (a) In a support proceeding
 18-38 under this subchapter, the office of the attorney general of this
 18-39 state shall:

18-40 (1) transmit and receive applications; and

18-41 (2) initiate or facilitate the institution of a
 18-42 proceeding regarding an application in a tribunal of this state.

18-43 (b) The following support proceedings are available to an
 18-44 obligee under the Convention:

18-45 (1) recognition or recognition and enforcement of a
 18-46 foreign support order;

18-47 (2) enforcement of a support order issued or
 18-48 recognized in this state;

18-49 (3) establishment of a support order if there is no
 18-50 existing order, including, if necessary, determination of
 18-51 parentage of a child;

18-52 (4) establishment of a support order if recognition of
 18-53 a foreign support order is refused under Section 159.708(b)(2),
 18-54 (4), or (9);

18-55 (5) modification of a support order of a tribunal of
 18-56 this state; and

18-57 (6) modification of a support order of a tribunal of
 18-58 another state or a foreign country.

18-59 (c) The following support proceedings are available under
 18-60 the Convention to an obligor against which there is an existing
 18-61 support order:

18-62 (1) recognition of an order suspending or limiting
 18-63 enforcement of an existing support order of a tribunal of this
 18-64 state;

18-65 (2) modification of a support order of a tribunal of
 18-66 this state; and

18-67 (3) modification of a support order of a tribunal of
 18-68 another state or a foreign country.

18-69 (d) A tribunal of this state may not require security, bond,

19-1 or deposit, however described, to guarantee the payment of costs
 19-2 and expenses in proceedings under the Convention.

19-3 Sec. 159.705. DIRECT REQUEST. (a) A petitioner may file a
 19-4 direct request seeking establishment or modification of a support
 19-5 order or determination of parentage of a child. In the proceeding,
 19-6 the law of this state applies.

19-7 (b) A petitioner may file a direct request seeking
 19-8 recognition and enforcement of a support order or support
 19-9 agreement. In the proceeding, Sections 159.706 through 159.713
 19-10 apply.

19-11 (c) In a direct request for recognition and enforcement of a
 19-12 Convention support order or foreign support agreement:

19-13 (1) a security, bond, or deposit is not required to
 19-14 guarantee the payment of costs and expenses; and

19-15 (2) an obligee or obligor that in the issuing country
 19-16 has benefited from free legal assistance is entitled to benefit, at
 19-17 least to the same extent, from any free legal assistance provided
 19-18 for by the law of this state under the same circumstances.

19-19 (d) A petitioner filing a direct request is not entitled to
 19-20 assistance from the office of the attorney general.

19-21 (e) This subchapter does not prevent the application of laws
 19-22 of this state that provide simplified, more expeditious rules
 19-23 regarding a direct request for recognition and enforcement of a
 19-24 foreign support order or foreign support agreement.

19-25 Sec. 159.706. REGISTRATION OF CONVENTION SUPPORT ORDER.
 19-26 (a) Except as otherwise provided in this subchapter, a party who is
 19-27 an individual or a support enforcement agency seeking recognition
 19-28 of a Convention support order shall register the order in this state
 19-29 as provided in Subchapter G.

19-30 (b) Notwithstanding Sections 159.311 and 159.602(a), a
 19-31 request for registration of a Convention support order must be
 19-32 accompanied by:

19-33 (1) the complete text of the support order or an
 19-34 abstract or extract of the support order drawn up by the issuing
 19-35 foreign tribunal, which may be in the form recommended by the Hague
 19-36 Conference on Private International Law;

19-37 (2) a record stating that the support order is
 19-38 enforceable in the issuing country;

19-39 (3) if the respondent did not appear and was not
 19-40 represented in the proceedings in the issuing country, a record
 19-41 attesting, as appropriate, either that the respondent had proper
 19-42 notice of the proceedings and an opportunity to be heard or that the
 19-43 respondent had proper notice of the support order and an
 19-44 opportunity to be heard in a challenge or appeal on fact or law
 19-45 before a tribunal;

19-46 (4) a record showing the amount of arrears, if any, and
 19-47 the date the amount was calculated;

19-48 (5) a record showing a requirement for automatic
 19-49 adjustment of the amount of support, if any, and the information
 19-50 necessary to make the appropriate calculations; and

19-51 (6) if necessary, a record showing the extent to which
 19-52 the applicant received free legal assistance in the issuing
 19-53 country.

19-54 (c) A request for registration of a Convention support order
 19-55 may seek recognition and partial enforcement of the order.

19-56 (d) A tribunal of this state may vacate the registration of
 19-57 a Convention support order without the filing of a contest under
 19-58 Section 159.707 only if, acting on its own motion, the tribunal
 19-59 finds that recognition and enforcement of the order would be
 19-60 manifestly incompatible with public policy.

19-61 (e) The tribunal shall promptly notify the parties of the
 19-62 registration or the order vacating the registration of a Convention
 19-63 support order.

19-64 Sec. 159.707. CONTEST OF REGISTERED CONVENTION SUPPORT
 19-65 ORDER. (a) Except as otherwise provided in this subchapter,
 19-66 Sections 159.605 through 159.608 apply to a contest of a registered
 19-67 Convention support order.

19-68 (b) A party contesting a registered Convention support
 19-69 order shall file a contest not later than 30 days after notice of

20-1 the registration. If the contesting party does not reside in the
 20-2 United States, the contest must be filed not later than 60 days
 20-3 after notice of the registration.

20-4 (c) If the nonregistering party fails to contest the
 20-5 registered Convention support order by the time specified in
 20-6 Subsection (b), the order is enforceable.

20-7 (d) A contest of a registered Convention support order may
 20-8 be based only on grounds set forth in Section 159.708. The
 20-9 contesting party bears the burden of proof.

20-10 (e) In a contest of a registered Convention support order, a
 20-11 tribunal of this state:

20-12 (1) is bound by the findings of fact on which the
 20-13 foreign tribunal based its jurisdiction; and

20-14 (2) may not review the merits of the order.

20-15 (f) A tribunal of this state deciding a contest of a
 20-16 registered Convention support order shall promptly notify the
 20-17 parties of its decision.

20-18 (g) A challenge or appeal, if any, does not stay the
 20-19 enforcement of a Convention support order unless there are
 20-20 exceptional circumstances.

20-21 Sec. 159.708. RECOGNITION AND ENFORCEMENT OF REGISTERED
 20-22 CONVENTION SUPPORT ORDER. (a) Except as otherwise provided in
 20-23 Subsection (b), a tribunal of this state shall recognize and
 20-24 enforce a registered Convention support order.

20-25 (b) The following grounds are the only grounds on which a
 20-26 tribunal of this state may refuse recognition and enforcement of a
 20-27 registered Convention support order:

20-28 (1) recognition and enforcement of the order is
 20-29 manifestly incompatible with public policy, including the failure
 20-30 of the issuing tribunal to observe minimum standards of due
 20-31 process, which include notice and an opportunity to be heard;

20-32 (2) the issuing tribunal lacked personal jurisdiction
 20-33 consistent with Section 159.201;

20-34 (3) the order is not enforceable in the issuing
 20-35 country;

20-36 (4) the order was obtained by fraud in connection with
 20-37 a matter of procedure;

20-38 (5) a record transmitted in accordance with Section
 20-39 159.706 lacks authenticity or integrity;

20-40 (6) a proceeding between the same parties and having
 20-41 the same purpose is pending before a tribunal of this state and that
 20-42 proceeding was the first to be filed;

20-43 (7) the order is incompatible with a more recent
 20-44 support order involving the same parties and having the same
 20-45 purpose if the more recent support order is entitled to recognition
 20-46 and enforcement under this chapter in this state;

20-47 (8) payment, to the extent alleged arrears have been
 20-48 paid in whole or in part;

20-49 (9) in a case in which the respondent neither appeared
 20-50 nor was represented in the proceeding in the issuing foreign
 20-51 country:

20-52 (A) if the law of that country provides for prior
 20-53 notice of proceedings, the respondent did not have proper notice of
 20-54 the proceedings and an opportunity to be heard; or

20-55 (B) if the law of that country does not provide
 20-56 for prior notice of the proceedings, the respondent did not have
 20-57 proper notice of the order and an opportunity to be heard in a
 20-58 challenge or appeal on fact or law before a tribunal; or

20-59 (10) the order was made in violation of Section
 20-60 159.711.

20-61 (c) If a tribunal of this state does not recognize a
 20-62 Convention support order under Subsection (b)(2), (4), or (9):

20-63 (1) the tribunal may not dismiss the proceeding
 20-64 without allowing a reasonable time for a party to request the
 20-65 establishment of a new Convention support order; and

20-66 (2) the office of the attorney general shall take all
 20-67 appropriate measures to request a child support order for the
 20-68 obligee if the application for recognition and enforcement was
 20-69 received under Section 159.704.

21-1 Sec. 159.709. PARTIAL ENFORCEMENT. If a tribunal of this
 21-2 state does not recognize and enforce a Convention support order in
 21-3 its entirety, it shall enforce any severable part of the order. An
 21-4 application or direct request may seek recognition and partial
 21-5 enforcement of a Convention support order.

21-6 Sec. 159.710. FOREIGN SUPPORT AGREEMENT. (a) Except as
 21-7 otherwise provided by Subsections (c) and (d), a tribunal of this
 21-8 state shall recognize and enforce a foreign support agreement
 21-9 registered in this state.

21-10 (b) An application or direct request for recognition and
 21-11 enforcement of a foreign support agreement must be accompanied by:

21-12 (1) the complete text of the foreign support
 21-13 agreement; and

21-14 (2) a record stating that the foreign support
 21-15 agreement is enforceable as an order of support in the issuing
 21-16 country.

21-17 (c) A tribunal of this state may vacate the registration of
 21-18 a foreign support agreement only if, acting on its own motion, the
 21-19 tribunal finds that recognition and enforcement would be manifestly
 21-20 incompatible with public policy.

21-21 (d) In a contest of a foreign support agreement, a tribunal
 21-22 of this state may refuse recognition and enforcement of the
 21-23 agreement if it finds:

21-24 (1) recognition and enforcement of the agreement is
 21-25 manifestly incompatible with public policy;

21-26 (2) the agreement was obtained by fraud or
 21-27 falsification;

21-28 (3) the agreement is incompatible with a support order
 21-29 involving the same parties and having the same purpose in this
 21-30 state, another state, or a foreign country if the support order is
 21-31 entitled to recognition and enforcement under this chapter in this
 21-32 state; or

21-33 (4) the record submitted under Subsection (b) lacks
 21-34 authenticity or integrity.

21-35 (e) A proceeding for recognition and enforcement of a
 21-36 foreign support agreement must be suspended during the pendency of
 21-37 a challenge to or appeal of the agreement before a tribunal of
 21-38 another state or a foreign country.

21-39 Sec. 159.711. MODIFICATION OF CONVENTION CHILD SUPPORT
 21-40 ORDER. (a) A tribunal of this state may not modify a Convention
 21-41 child support order if the obligee remains a resident of the foreign
 21-42 country where the support order was issued unless:

21-43 (1) the obligee submits to the jurisdiction of a
 21-44 tribunal of this state, either expressly or by defending on the
 21-45 merits of the case without objecting to the jurisdiction at the
 21-46 first available opportunity; or

21-47 (2) the foreign tribunal lacks or refuses to exercise
 21-48 jurisdiction to modify its support order or issue a new support
 21-49 order.

21-50 (b) If a tribunal of this state does not modify a Convention
 21-51 child support order because the order is not recognized in this
 21-52 state, Section 159.708(c) applies.

21-53 Sec. 159.712. PERSONAL INFORMATION; LIMIT ON USE. Personal
 21-54 information gathered or transmitted under this subchapter may be
 21-55 used only for the purposes for which it was gathered or transmitted.

21-56 Sec. 159.713. RECORD IN ORIGINAL LANGUAGE; ENGLISH
 21-57 TRANSLATION. A record filed with a tribunal of this state under this
 21-58 subchapter must be in the original language and, if not in English,
 21-59 must be accompanied by an English translation.

21-60 SECTION 59. Section 159.801(a), Family Code, is amended to
 21-61 read as follows:

21-62 (a) For purposes of this [In this] subchapter, "governor"
 21-63 includes an individual performing the functions of governor or the
 21-64 executive authority of a state covered by this chapter.

21-65 SECTION 60. Section 159.802(a), Family Code, is amended to
 21-66 read as follows:

21-67 (a) Before making a demand that the governor of another
 21-68 state surrender an individual charged criminally in this state with
 21-69 having failed to provide for the support of an obligee, the governor

22-1 of this state may require a prosecutor of this state to
22-2 demonstrate[+] ~~[(1)]~~ that, not less than 60 days previously ~~[before~~
22-3 ~~the date of the demand]~~, the obligee had initiated proceedings for
22-4 support under this chapter[+] or
22-5 ~~[(2)]~~ that ~~[initiating]~~ the proceeding would be of no
22-6 avail.
22-7

22-8 SECTION 61. Section 159.901, Family Code, is amended to
22-9 read as follows:

22-10 Sec. 159.901. UNIFORMITY OF APPLICATION AND CONSTRUCTION.
22-11 In applying and construing this uniform act ~~[chapter]~~,
22-12 consideration must be given to the need to promote uniformity of the
22-13 law with respect to its ~~[the]~~ subject matter ~~[of this chapter]~~ among
22-14 states that enact it ~~[a law similar to this chapter]~~.

22-15 SECTION 62. Chapter 159, Family Code, as amended by this
22-16 Act, applies to proceedings commenced on or after the effective
22-17 date of this Act to establish a support order, determine parentage
22-18 of a child, or register, recognize, enforce, or modify a prior
22-19 support order, determination, or agreement regardless of the date
22-20 the order, determination, or agreement was issued or entered.

22-21 SECTION 63. This Act takes effect July 1, 2015, if it
22-22 receives a vote of two-thirds of all the members elected to each
22-23 house, as provided by Section 39, Article III, Texas Constitution.
22-24 If this Act does not receive the vote necessary for effect on that
22-25 date, this Act takes effect on the 91st day after the last day of the
22-26 legislative session.

22-27 * * * * *