

1-1 By: Hughes S.B. No. 942
1-2 (In the Senate - Filed January 27, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 24, 2025, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; March 24, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Johnson	X		
1-10	Creighton	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Middleton	X		

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to a court order for retroactive child support, including
1-16 for retroactive child support beginning on the date of the child's
1-17 conception.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Section 154.131, Family Code, is amended by
1-20 amending Subsection (d) and adding Subsections (g), (h), and (i) to
1-21 read as follows:

1-22 (d) The presumption created under Subsection (c) [~~this~~
1-23 ~~section~~] may be rebutted by evidence that the obligor:

1-24 (1) knew or should have known that the obligor was the
1-25 father of the child for whom support is sought; and

1-26 (2) sought to avoid the establishment of a support
1-27 obligation to the child.

1-28 (g) Subject to Subsections (c) and (d), it is presumed to be
1-29 reasonable and in the best interest of the child for a court to
1-30 order retroactive child support for the child beginning on the
1-31 earliest possible date of the child's conception, as determined by:

1-32 (1) a physician using standard medical practice, as
1-33 defined by Section 171.201, Health and Safety Code; or

1-34 (2) a preponderance of other evidence presented to the
1-35 court, including the testimony of a parent of the child.

1-36 (h) On a proper showing, the court may order the obligor to
1-37 pay, as additional retroactive child support, an equitable portion
1-38 of all prenatal and postnatal health care expenses of the mother and
1-39 the child.

1-40 (i) The court shall confirm the amount of retroactive child
1-41 support and render a cumulative money judgment for the total amount
1-42 of retroactive child support owed.

1-43 SECTION 2. Section 160.636(g), Family Code, is amended to
1-44 read as follows:

1-45 (g) If a court renders an order under this chapter
1-46 establishing a man's paternity of the child or establishing a child
1-47 support obligation of a man whose paternity has been established by
1-48 the execution of a valid acknowledgment of paternity in regard to
1-49 the child under Subchapter D [~~On a finding of parentage~~], the court
1-50 shall, on the request of a party and on a proper showing, [~~may~~
1-51 order retroactive child support as provided by Section 154.131
1-52 [~~Chapter 154 and, on a proper showing, order a party to pay an~~
1-53 ~~equitable portion of all of the prenatal and postnatal health care~~
1-54 ~~expenses of the mother and the child~~].

1-55 SECTION 3. Section 160.636(h), Family Code, is repealed.

1-56 SECTION 4. The changes in law made by this Act with respect
1-57 to an order adjudicating paternity apply only to an order rendered
1-58 on or after the effective date of this Act. An order adjudicating
1-59 paternity rendered before the effective date of this Act is
1-60 governed by the law in effect on the date the order is rendered, and
1-61 the former law is continued in effect for that purpose.

2-9 * * * * *