

Chapter 1244

AN ACT

1  
2 relating to the classification of certain types of marital property  
3 in regards to claims for payment of a criminal restitution  
4 judgment.

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

6 SECTION 1. Section 3.202, Family Code, is amended by adding  
7 Subsection (e) to read as follows:

8 (e) For purposes of this section, all retirement  
9 allowances, annuities, accumulated contributions, optional  
10 benefits, and money in the various public retirement system  
11 accounts of this state that are community property subject to the  
12 participating spouse's sole management, control, and disposition  
13 are not subject to any claim for payment of a criminal restitution  
14 judgment entered against the nonparticipant spouse except to the  
15 extent of the nonparticipant spouse's interest as determined in a  
16 qualified domestic relations order under Chapter 804, Government  
17 Code.

18 SECTION 2. This Act applies only to a claim for payment of a  
19 criminal restitution judgment issued on or after the effective date  
20 of this Act. A claim for payment of a criminal restitution judgment  
21 issued before the effective date of this Act is governed by the law  
22 as it existed immediately before the effective date of this Act, and  
23 that law is continued in effect for that purpose.

24 SECTION 3. This Act takes effect September 1, 2009.

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WCE

S.B. No. 2324

David Newburn  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 2324 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 30, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 2324 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

19 JUN '09  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2PM O'CLOCK

JUN 19 2009

Colby Hunter III