

## AN ACT

relating to the payment of support for a child after the child's 18th birthday.

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

SECTION 1. Section 154.002(a), Family Code, is amended to read as follows:

(a) The ~~[If the child is fully enrolled in an accredited secondary school in a program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit pursuant to Section 130.008, Education Code, the]~~ court may render an original support order, or modify an existing order, providing child support past the 18th birthday of the child to be paid only if the child is:

(1) enrolled:

(A) under Chapter 25, Education Code, in an accredited secondary school in a program leading toward a high school diploma;

(B) under Section 130.008, Education Code, in courses for joint high school and junior college credit; or

(C) on a full-time basis in a private secondary school in a program leading toward a high school diploma; and

(2) complying with:

(A) the minimum attendance requirements of Subchapter C, Chapter 25, Education Code; or

1                    (B) the minimum attendance requirements imposed  
2 by the school in which the child is enrolled, if the child is  
3 enrolled in a private secondary school.

4            SECTION 2. Section 154.006(a), Family Code, is amended to  
5 read as follows:

6            (a) Unless otherwise agreed in writing or expressly  
7 provided in the order or as provided by Subsection (b), the child  
8 support order terminates on:

9                    (1) the marriage of the child;

10                   (2) the [~~r~~] removal of the child's disabilities for  
11 general purposes;

12                   (3) the [~~r~~~~or~~] death of:

13                            (A) the child; or

14                            (B) a parent ordered to pay child support; or

15                   (4) a finding by a court that the child:

16                            (A) is 18 years of age or older; and

17                            (B) has failed to comply with the enrollment or  
18 attendance requirements described by Section 154.002(a).

19            SECTION 3. (a) This Act takes effect September 1, 2003.

20            (b) The change in law made by this Act applies only to a  
21 court order or portion of a decree that provides for the support of  
22 a child rendered or modified on or after the effective date of this  
23 Act. An order or decree rendered or modified before the effective  
24 date of this Act is governed by the law in effect on the date the  
25 order or decree was rendered or modified, and the former law is  
26 continued in effect for that purpose.

David Newbunt

President of the Senate

Tom Carlin

Speaker of the House

I certify that H.B. No. 234 was passed by the House on March 18, 2003, by a non-record vote.

Robert Hamer

Chief Clerk of the House

I certify that H.B. No. 234 was passed by the Senate on May 1, 2003, by the following vote: Yeas 31, Nays 0.

Lately Spaw

Secretary of the Senate

APPROVED:

15 May '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:45 PM O'CLOCK

May 15 2003  
Ann Shea  
Secretary of State