

BILL ANALYSIS: HB 1980/SB 942

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Childhood well-being is dependent upon the development of positive interpersonal and intrapersonal relationships and the maturation of stage-appropriate capacities throughout an individual's youth and adolescence ([Raghavan & Alexandrova, 2015](#)). Further, the development and maturation of features of childhood well-being is conditioned by the social ecology in which a child is raised, itself significantly influenced by family structure and parental perceptions of self-efficacy as a provider, teacher, or nurturer ([Raghavan & Alexandrova, 2015](#)). Research indicates that married-couple households, having enhanced means for human capital investment in children, cultivate social ecologies most conducive to integral childhood development, while other structures, such as single-mother households, are correlated with greater frequency of inferior outcomes among indicators as well-being and reduced human capital investment capacity ([Wilcox et al., 2024](#); [Dufur et al., 2022](#); [Nieuwenhuis & Maldonado, 2018](#); [Kerney & Levine, 2017](#)). Further, when an individual experiences anxieties regarding their efficacy as a parent, notwithstanding their actual capacities, relationships between parents and children may be marked by tension and inferior outcomes may result ([Nomaguchi & Milkie, 2020](#); [Chau & Giallo, 2015](#)).

Among household structures and populations in Texas, single mothers and their children have increased likelihood for experiencing socioeconomic conditions that increase the risk of adverse childhood development, in no little part because of the burdensome costs of single motherhood ([Atkins, 2010](#)). While single mothers incur an array of costs throughout their child's life, expenses occurred in the peripartum period may be especially expensive and aggravate extant financial issues. Per Valencia et al. ([2023](#)), women may incur up to \$24,000 in expenses in the peripartum period and 60% of women (generally) report challenges with the affordability of postpartum healthcare and related expenses. Single-mother households in Texas who earn a median income of \$29,497 may incur expenses ranging from 23% to 80% of their annual income for children ages 0 to 2 ([Osborne et al., 2021](#)). Further, there exist approximately 138,666 single-mother households with children under 18 in Texas ([USCB, 2023](#)).

The economic challenges facing single mothers threaten to negatively affect both their livelihoods and those of their children. To assist in mitigating these challenges, H.B. 1980/S.B. 942 seeks to require that upon the demonstration of paternity and establishment of a child support obligation, courts must require fathers to pay retroactive child support from conception. While not a panacea to resolving all financial or economic challenges of single motherhood, this bill ensures that fathers equitably fulfill an extant duty to provide for their children, thereby both alleviating some financial strain for single mothers and aiding in the integral development of children.

continued

SECTION BY SECTION ANALYSIS

SECTION 1.

Section 154.131 Family Code is amended by amending Subsection (d) and adding Subsections (g), (h), and (i) to read:

(d) Renders possible that the presumption established by Subsection (c) may be rebutted if there exists evidence that the obligor. *Substantive change: Identifies Subsection (c) of Section 154.131 as creative of a presumption that may be rebutted.*

(1) knew or should have known that the obligor was the father of the child for whom support is sought.

(2) sought to avoid the establishment of a support obligation to the child.

(g) Subject to subsections (c) and (d), requires that courts and judges must draw the legal inference that it is both reasonable and in the best interest of a child for a court to order retroactive child support on the earliest possible date of the child's conception, as determined by:

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

(2) A preponderance of evidence presented to the court, including the testimony of a parent of the child.

(h) If a proper showing of paternity is demonstrated, permits the court to order the obligor to pay, as additional retroactive child support, a just and fair portion of all prenatal and postnatal healthcare expenses of the mother and the child.

(i) Imposes a requirement upon the court to confirm the amount of retroactive child support and render a confirmation of arrearages/cumulative money judgment for the total amount of retroactive child support owed.

SECTION 2.

Section 160.636(g), Family Code is amended as follows:

(g) Requires that the court, if the court renders an order under this chapter that establishes paternity of a child or establishes a child support obligation of a man whose paternity has been established by the execution of a valid acknowledgment of paternity under Subchapter D and upon the request of a party and on a proper showing, order retroactive child support as provided by Section 154.131. *Substantive change: Inserts new sufficient conditions for the requirement that a court order retroactive child support. Deletes sufficient condition, "on the finding of parentage" for the ordering of retroactive child support. Renders the ordering of retroactive child support necessary if certain sufficient conditions are met. Conditions the ordering of retroactive child support on Section 154.131. Deletes lines 15-17 conditioning the ordering of retroactive child support.*

SECTION 3.

Section 160.636(h), Family Code is repealed. *Substantive change.*

SECTION 4.

Renders the Act prospective with respect to an order adjudicating paternity.

SECTION 5.

Renders the Act prospective with respect to the acknowledgement of paternity.

SECTION 6.

Establishes the effective date of the Act as September 1, 2025.

REFERENCES

Atkins, R. (2010). Self-efficacy and the promotion of health for depressed single mothers. *Mental health in Family Medicine*, 7(3), 155–168. <https://pmc.ncbi.nlm.nih.gov/articles/PMC3018952/>

Chau, V., & Giallo, R. (2015). The relationship between parental fatigue, parenting self-efficacy and behaviour: implications for supporting parents in the early parenting period. *Child: Care, Health and Development*, 41(4), 626–633. <https://pubmed.ncbi.nlm.nih.gov/25297521/>

Dufur, M. J., Pribesh, S. L., & Jarvis, J. A. (2023). Family structure and first-term college GPA: Do resources, selectivity, and resilience factors explain potential differences across family structures? *Journal of Child and Family Studies*, 32, 211–229. <https://doi.org/10.1007/s10826-022-02368-0>

Kearney, M. S., & Levine, P. B. (2017). The economics of non-marital childbearing and the “marriage premium for children.” *National Bureau of Economic Research Working Paper Series*. <http://www.nber.org/papers/w23230>

Nomaguchi, K., & Milkie, M. A. (2020). Parenthood and well-being: A decade in review. *Journal of Marriage and Family*, 82(1), 198–223. <https://doi.org/10.1111/jomf.12646>

Nieuwenhuis, R., & Maldonado, L. (Eds.). (2018). *The triple bind of single-parent families*. Policy Press. <http://library.oopen.org/handle/20.500.12657/30531>

Osborne, C., Wu, E., & Benson, K. (2021). *An updated estimation model of the cost of raising children in Texas: Final report*. Child and Family Research Partnership. https://pn3policy.org/wp-content/uploads/2023/02/PN3PIC_RE_Texas-CostofRaisingChildren.pdf

Raghavan, R., & Alexandrova, A. (2015). Toward a theory of child well-being. *Social Indicators Research*, 121(3), 887–902. <http://www.jstor.org/stable/24721562>

U.S. Census Bureau (USCB). (2023). *Women 15 to 50 years who had a birth in the past 12 months by marital status and poverty status in the past 12 months*. <https://data.census.gov/table/ACSDT1Y2023.B13010?t=Families%20and%20Living%20Arrangements:Income%20and%20Poverty&g=040XX00US48>

Valencia, Z., Sen, A., & Chang, J. (2023, May 12). *From prenatal through postpartum care, it cost more than \$24,000 to have a baby on average*. Health Care Cost Institute. <https://healthcostinstitute.org/hcci-originals-dropdown/all-hcci-reports/prenatal-through-postpartum-costs-of-having-a-baby>

Wilcox, B., Brown, A., Zill, N., Armstrong, N., Torres, N., Welton, C., & Smith, A. (2024). *For the sake of the kids: Strengthening families in the Lone Star State*. Texas Public Policy Foundation. <https://www.texaspolicy.com/for-the-sake-of-the-kids/>

ABOUT THE AUTHOR



Noah Torres is a policy scholar for the Center for Health and Families at the Texas Public Policy Foundation, where he focuses on marriage and family formation policy and healthcare antitrust regulation and enforcement.

Born in Fort Worth, TX to a family actively involved in the local Hispanic, Catholic, and political circles, Noah was raised with an astute awareness of the value of civic virtue for securing the common good and flourishing of individuals in a community.

Noah later attended the University of Dallas, where he earned his B.A. ('21) in Politics and Theology and his M.A. ('23) in Political Theory.

As an undergraduate, Noah's studies centered both on the development of constitutional theory in late medieval Scholasticism and canon law in the works of Jean Gerson and Konrad Summenhart and on the interplay between early modern ecclesiology and political theory in the works of Robert Bellarmine. During this time, Noah interned for the Religious Freedom Institute (RFI), where he produced a study that aided the passage of legislation protecting patient conscience rights in South Dakota.

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