

January 21, 1998

HOUSE BILL No. 1019

DIGEST OF HB 1019 (Updated January 16, 1998 4:02 pm - DI 51)

Citations Affected: IC 31-14; IC 31-17.

Synopsis: Visitation rights. Prohibits a court, in a divorce, paternity, or legal separation proceeding, from granting visitation rights with a child to a parent who has been convicted of murder of the child's other parent unless the court finds that: (1) the statutory requirements entitling a parent to reasonable visitation under current law are met; (2) the child is of a reasonable age to agree to the visitation; and (3) the child consents to the visitation.

Effective: July 1, 1998.

Mahern, Steele

January 6, 1998, read first time and referred to Committee on Courts and Criminal Code.
January 20, 1998, amended, reported — Do Pass.

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HB 1019—LS 6043/DI 76



January 21, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1019

A BILL FOR AN ACT to amend the Indiana Code concerning family law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 31-14-14-1.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 1998]: **Sec. 1.5. A court may not grant**
4 **visitation rights with a child to a parent who has been convicted of**
5 **murder under IC 35-42-1-1 of the child's other parent unless:**
6 (1) **the court finds that the parent is entitled to reasonable**
7 **visitation as described in section 1 of this chapter; and**
8 (2) **the child is of reasonable age to demonstrate that the child**
9 **approves of the visitation order; and**
10 (3) **the child consents to the visitation.**
11 SECTION 2. IC 31-17-4-1.5 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 1998]: **Sec. 1.5. A court may not grant visitation rights with a**
14 **child to a parent who has been convicted of murder under**
15 **IC 35-42-1-1 of the child's other parent unless:**
16 (1) **the court finds that the parent is entitled to reasonable**
17 **visitation as described in section 1 of this chapter; and**

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- 1 **(2) the child is of reasonable age to demonstrate that the child**
- 2 **approves of the visitation order; and**
- 3 **(3) the child consents to the visitation.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1019, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, after "chapter;" insert "**and**".

Page 1, line 17, after "chapter;" insert "**and**".

and when so amended that said bill do pass.

(Reference is to House Bill 1019 as introduced.)

DVORAK, Chair

Committee Vote: yeas 11, nays 1.

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