

SENATE BILL No. 202

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-15-2.

Synopsis: Waiting period for dissolution of marriage. Extends the waiting period before a court may enter a dissolution of marriage decree from 60 days to 180 days.

Effective: July 1, 1998.

Zakas

January 6, 1998, read first time and referred to Committee on Judiciary.



Introduced

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.

SENATE BILL No. 202

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 31-15-2-10, AS ADDED BY P.L.1-1997,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 10. Except as provided in sections 13 and 14 of
4 this chapter, in an action for a dissolution of marriage under section 2
5 of this chapter, a final hearing shall be conducted not earlier than ~~sixty~~
6 **(60) one hundred eighty (180)** days after the filing of the petition.
7 SECTION 2. IC 31-15-2-11, AS ADDED BY P.L.1-1997,
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 1998]: Sec. 11. If a petition has been filed in an action for
10 legal separation under IC 31-15-3-2 (or IC 31-1-11.5-3(c) before its
11 repeal), a final hearing on a petition or counter petition subsequently
12 filed in an action for dissolution of marriage under section 2 of this
13 chapter (or IC 31-1-11.5-3(a) before its repeal) may be held **at any time**
14 **after sixty (60) not earlier than one hundred eighty (180)** days after
15 the petition in an action for legal separation under IC 31-15-3-2 has
16 been filed.
17 SECTION 3. IC 31-15-2-12, AS ADDED BY P.L.1-1997,

1998

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1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 1998]: Sec. 12. (a) This section applies if a party who filed an
3 action for dissolution of marriage under section 2 of this chapter (or
4 IC 31-1-11.5-3(a) before its repeal) files a motion to dismiss the action.

5 (b) A party that files an action shall serve each other party to the
6 action with a copy of the motion.

7 (c) A party to the action may file a counter petition under section 2
8 of this chapter not later than five (5) days after the filing of the motion
9 to dismiss. If a party files a counter petition under this subsection, the
10 court shall set the petition and counter petition for final hearing not
11 earlier than ~~sixty (60)~~ **one hundred eighty (180)** days after the initial
12 petition was filed.

13 SECTION 4. IC 31-15-2-13, AS ADDED BY P.L.1-1997,
14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 1998]: Sec. 13. At least ~~sixty (60)~~ **one hundred eighty (180)**
16 days after a petition is filed in an action for dissolution of marriage
17 under section 2 of this chapter, the court may enter a summary
18 dissolution decree without holding a final hearing under this chapter if
19 there have been filed with the court verified pleadings, signed by both
20 parties, containing:

21 (1) a written waiver of final hearing; and

22 (2) either:

23 (A) a statement that there are no contested issues in the action;
24 or

25 (B) a written agreement made in accordance with section 17
26 of this chapter that settles any contested issues between the
27 parties.

