

# HOUSE BILL No. 1069

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-14-11-8; IC 31-16-8-1.

**Synopsis:** Custody modifications. Provides that whenever a court modifies a child support order, the modification applies from the date of the filing of the modification petition. Applies to both dissolution of marriage and paternity cases.

**Effective:** July 1, 1998.

---

---

## Pond

---

---

January 6, 1998, read first time and referred to Committee on Courts and Criminal Code.

---

---



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.

## HOUSE BILL No. 1069

---

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 31-14-11-8, AS ADDED BY P.L.1-1997,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [JULY 1,  
3 1998]: Sec. 8. (a) A support order may be modified or revoked upon a  
4 showing:  
5 (1) of a substantial change in circumstances that makes the terms  
6 unreasonable; or  
7 (2) that:  
8 (A) a person has been ordered to pay an amount in child  
9 support that differs by more than twenty percent (20%) from  
10 the amount that would be ordered by applying the child  
11 support guidelines; and  
12 (B) the support order requested to be modified or revoked was  
13 issued at least twelve (12) months before the petition  
14 requesting modification was filed.  
15 (b) **Whenever a court modifies a child support order under this**  
16 **section, the modification applies from the date of the filing of the**  
17 **modification petition.**

1998

IN 1069—LS 6657/DI 76+



1 SECTION 2. IC 31-16-8-1, AS ADDED BY P.L.1-1997, SECTION  
2 8, IS AMENDED TO READ AS FOLLOWS [JULY 1, 1998]: Sec. 1.

3 (a) Provisions of an order with respect to child support or an order for  
4 maintenance ordered under IC 31-16-7-1 (or IC 31-1-11.5-9(c) before  
5 its repeal) may be modified or revoked. Except as provided in section  
6 2 of this chapter, modification may be made only:

7 (1) upon a showing of changed circumstances so substantial and  
8 continuing as to make the terms unreasonable; or

9 (2) upon a showing that:

10 (A) a party has been ordered to pay an amount in child support  
11 that differs by more than twenty percent (20%) from the  
12 amount that would be ordered by applying the child support  
13 guidelines; and

14 (B) the order requested to be modified or revoked was issued  
15 at least twelve (12) months before the petition requesting  
16 modification was filed.

17 (b) **Whenever a court modifies the amount of child support**  
18 **under this section, the modification applies from the date of the**  
19 **filing of the modification petition.**

