

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7577**

**BILL NUMBER: HB 1337**

**DATE PREPARED:** Feb 26, 1999

**BILL AMENDED:** Feb 25, 1999

**SUBJECT:** Child support proceedings.

**FISCAL ANALYST:** Ron Sobecki

**PHONE NUMBER:** 232-9854

**FUNDS AFFECTED:**     **GENERAL**  
                          **DEDICATED**  
                          **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) This bill allows a court to order a person who is under a duty to pay child support to pay restitution to the person entitled to receive the child support if the person who is ordered to pay support fails to appear at a child support hearing and the other person has a loss of earnings for attending the hearing. The bill provides an exception if the person who is ordered to pay child support did not receive proper notice of the hearing. It provides that the restitution order is a judgment lien that may be enforced in the same manner as a judgment lien in a civil proceeding. The bill applies in paternity and dissolution of marriage cases.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** This bill may increase the number of filings by the Clerk of the Circuit Court in each county. The exact number of filings is unknown and is dependant on the number of restitution orders issued by the court for earnings lost while attending a child support hearing. Any increase in the number of filings can be absorbed within the existing budget.

The bill states that a restitution order issued for payment for earnings lost while attending a child support hearing is also a judgement lien. The judgement lien attaches to the property of the obligor. This bill may increase the number of liens that must be recorded by the County Recorder in each county. IC 36-2-7-10 provides a fee of not more than \$3 for the filing of a lien. The fee is set by county ordinance and deposited in the Recorder's Records Perpetuation Fund.

**Explanation of Local Revenues:** See Local Expenditures.

**State Agencies Affected:**

**Local Agencies Affected:** Clerks of the Circuit Court, County Recorders.

**Information Sources:**