

# HOUSE BILL No. 1125

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-14-12-3; IC 31-16-12-6.

**Synopsis:** Work release for failure to pay child support. Allows a court to order a noncustodial parent who has a delinquent child support obligation to be confined to the county jail and temporarily released from custody to participate in a work release program. Requires the noncustodial parent's work release earnings to be used for the payment of the delinquent child support obligation. Provides that the court may order the noncustodial parent's confinement and participation in work release for any period the court considers appropriate. Prohibits the noncustodial parent from receiving any part of the work release earnings until the noncustodial parent's delinquent child support obligation has been satisfied

**Effective:** July 1, 1999.

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**Buck**

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January 6, 1999, read first time and referred to Committee on Human Affairs.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

## HOUSE BILL No. 1125

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

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

- 1 SECTION 1. IC 31-14-12-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) If the court finds  
3 that a party is delinquent as a result of an intentional violation of an  
4 order for support, the court may find the party in contempt of court.  
5 (b) The court may order a party who is found in contempt of court  
6 under this section to **do either of the following:**  
7 (1) Perform community service without compensation in a  
8 manner specified by the court.  
9 (2) **Be confined to the county jail and temporarily released**  
10 **from custody to participate in:**  
11 (A) **a county work release program under IC 11-12-5; or**  
12 (B) **any other community work release program approved**  
13 **by the court;**  
14 **for any period the court considers appropriate.**  
15 (c) **If the court orders a party to participate in a work release**  
16 **program under subsection (b), the court shall order the county**  
17 **sheriff or other designated agency to collect the noncustodial**



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1 parent's earnings under the program. After the earnings are  
 2 distributed by the county sheriff as provided by law, the county  
 3 sheriff or another agency designated by the county sheriff shall  
 4 forward the remainder of the earnings to the clerk of the court for  
 5 the payment of the noncustodial parent's delinquent child support.

6 (d) A noncustodial parent who is ordered to participate in a  
 7 work release program under subsection (b) is not entitled to any  
 8 part of the earnings until the noncustodial parent's delinquent  
 9 child support obligation has been satisfied.

10 SECTION 2. IC 31-16-12-6 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) If the court finds  
 12 that a party is delinquent as a result of an intentional violation of an  
 13 order for support, the court may find the party in contempt of court.

14 (b) The court may order a party who is found in contempt of court  
 15 under this section to **do either of the following:**

16 (1) Perform community service without compensation in a  
 17 manner specified by the court.

18 (2) **Be confined to the county jail and temporarily released**  
 19 **from custody to participate in:**

20 (A) a county work release program under IC 11-12-5; or

21 (B) any other community work release program approved  
 22 by the court;

23 for any period the court considers appropriate.

24 (c) If the court orders a party to participate in a work release  
 25 program under subsection (b), the court shall order the county  
 26 sheriff or other designated agency to collect the noncustodial  
 27 parent's earnings under the program. After the earnings are  
 28 distributed by the county sheriff as provided by law, the county  
 29 sheriff or another agency designated by the county sheriff shall  
 30 forward the remainder of the earnings to the clerk of the court for  
 31 the payment of the noncustodial parent's delinquent child support.

32 (d) A noncustodial parent who is ordered to participate in a  
 33 work release program under subsection (b) is not entitled to any  
 34 part of the earnings until the noncustodial parent's delinquent  
 35 child support obligation has been satisfied.

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