



February 18, 2000

**ENGROSSED
SENATE BILL No. 411**

DIGEST OF SB 411 (Updated February 17, 2000 1:01 PM - DI 76)

Citations Affected: IC 31-16.

Synopsis: Poor relief. Provides options to a court when the court finds an individual in contempt for violating a child support order. Allows a court to enter an order allowing a township trustee to receive child support payments if the parties have requested or are receiving poor relief assistance on behalf of the parties or the parties' children. Requires certain individuals to contribute financial support for a parent's burial if a trustee paid for the parent's burial.

Effective: July 1, 2000.

Kenley, Blade

(HOUSE SPONSORS — GIAQUINTA, YOUNG D)

January 10, 2000, read first time and referred to Committee on Governmental and Regulatory Affairs.

January 27, 2000, amended, reported favorably — Do Pass.

January 31, 2000, read second time, amended, ordered engrossed.

February 1, 2000, engrossed.

February 7, 2000, read third time, passed. Yeas 35, nays 15.

HOUSE ACTION

February 10, 2000, read first time and referred to Committee on Courts and Criminal Code.

February 17, 2000, amended, reported — Do Pass.

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ES 411—LS 6959/DI 88+



February 18, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

ENGROSSED SENATE BILL No. 411

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

- 1 SECTION 1. IC 31-16-10-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. Upon entering an
3 order under IC 31-16-6-1 or at any subsequent time, the court may
4 order, upon the proper showing that a person other than the person
5 awarded custody under IC 31-17-2-8 (or IC 31-1-11.5-21 before its
6 repeal) should receive payments, that the clerk of the circuit court or
7 the person obligated to make the payments transmit those payments to
8 any third person agreed upon by the parties and approved by the court
9 or appointed by the court, including the following:
10 (1) A trustee.
11 (2) The guardian of the estate of the child.
12 (3) Any third person.
13 (4) The county office of family and children or any appropriate
14 social service agency.
15 (5) The state agency administering Title IV-D of the federal
16 Social Security Act (42 U.S.C. 651 through 669).
17 (6) **The township trustee if the parties have requested or are**

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1 receiving poor relief assistance on behalf of the parties or the
2 parties' children.

3 SECTION 2. IC 31-16-12-6.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2000]: **Sec. 6.5. If a court finds a party in
6 contempt for intentionally violating an order for support and the
7 custodial parent and children for whom the support was intended
8 obtained poor relief assistance under IC 12-20, the court shall issue
9 an order to do one (1) or more of the following:**

10 (1) **Order the violator to repay the township for the amount
11 of assistance provided to the violator's children.**

12 (2) **Order the violator to perform workfare in the township
13 for the amount of assistance provided to the violator's
14 children.**

15 (3) **Order the violator to purchase a security bond that will
16 cover payments of the violator's child support obligation if the
17 violator violates the court order in the future.**

18 (4) **Order the township to place a lien against the violator's
19 personal property in an amount equal to the amount of poor
20 relief provided to the violator's children.**

21 SECTION 3. IC 31-16-17-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 1. Any individual:**

23 (1) **whose father or mother provided the individual with necessary
24 food, shelter, clothing, medical attention, and education until the
25 individual reached sixteen (16) years of age; and**

26 (2) **who is financially able due to the individual's own property,
27 income, or earnings;**

28 shall contribute to the support of the individual's parents if either parent
29 is financially unable to furnish the parent's own necessary food,
30 clothing, shelter, and medical attention. **The individual shall also
31 provide financial support for the parent's burial if the parent's
32 burial is provided under IC 12-20-16-12.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 411, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 6, delete lines 2 through 15.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 411 as introduced.)

MERRITT, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Blade be added as second author of Senate Bill 411.

KENLEY

SENATE MOTION

Mr. President: I move that Senate Bill 411 be amended to read as follows:

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"(d) The trustee shall assist an applicant for poor relief in completing a poor relief application if the applicant:

- (1) has a mental or a physical disability, including mental retardation, cerebral palsy, blindness, or paralysis;**
- (2) has dyslexia; or**
- (3) cannot read or write the english language."**

(Reference is to SB 411 as printed January 28, 2000.)

BLADE

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 411, 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, delete lines 1 through 17.

Delete pages 2 through 6.

Page 7, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 411 as reprinted February 1, 2000.)

DVORAK, Chair

Committee Vote: yeas 12, nays 0.

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