

# SENATE BILL No. 313

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 32-17.5-8-2.

**Synopsis:** Disclaimer of property to avoid child support. Prohibits a person from disclaiming an interest in property if the person is delinquent in the payment of child support.

**Effective:** July 1, 2009.

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### Broden

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January 8, 2009, read first time and referred to Committee on Judiciary.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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## SENATE BILL No. 313

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

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

- 1 SECTION 1. IC 32-17.5-8-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. A disclaimer of an  
3 interest in property is barred if any of the following events occur before  
4 the disclaimer becomes effective:
- 5 (1) The disclaimant accepts the interest sought to be disclaimed.
  - 6 (2) The disclaimant voluntarily:
    - 7 (A) assigns, conveys, encumbers, pledges, or transfers the
    - 8 interest sought to be disclaimed; or
    - 9 (B) contracts to take an action described in clause (A).
  - 10 (3) A judicial sale of the interest sought to be disclaimed occurs.
  - 11 **(4) The disclaimant is delinquent (as defined in**
  - 12 **IC 31-9-2-36(b)) in the payment of child support.**

