

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

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6549**  
**BILL NUMBER: SB 178**

**NOTE PREPARED: Feb 18, 2010**  
**BILL AMENDED: Feb 1, 2010**

**SUBJECT:** Custody and Parenting Time Matters.

**FIRST AUTHOR:** Sen. Steele  
**FIRST SPONSOR:** Rep. VanDenburgh

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

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

**IMPACT:** State

**Summary of Legislation:** (Amended) This bill provides that if a paternity affidavit is executed, the mother and the man who is identified as the father share joint legal custody of the child, the mother has primary physical custody of the child, and the man who is identified as the father has parenting time in accordance with the parenting time guidelines unless another determination is made by a court. (Current law provides that a mother has sole custody unless another custody determination is made by a court.)

The bill also provides that a noncustodial parent is entitled to reasonable parenting time rights unless a court finds by clear and convincing evidence that parenting time might endanger the child's physical health or significantly impair the child's emotional development. (This changes the standard of proof under the current law.) The bill also provides that a paternity affidavit executed through a hospital may be completed not more than ten days after the child's birth if a parent is out of the country.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** (Revised) This bill will increase the workload of the Indiana State Department of Health to redesign the paternity affidavit form. Increases in workload are expected to be minimal.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** State Department of Health.

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Bill Brumbach, 232-9559.