
SENATE BILL No. 314

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-31-2-5.5; IC 4-33-2-5.8; IC 14-11-3-0.5; IC 25-1-1.2-4; IC 27-1-15.6-2; IC 27-10-1-5.5; IC 31-25-4-2.

Synopsis: Delinquent child support. Changes the definition of "delinquent" to mean at least: (1) \$1,000; or (2) three months; past due on payment of court ordered child support. (Under current law, "delinquent" means at least \$2,000 or three months past due on payment of court ordered child support.) (This definition relates to the following: (1) The suspension or denial of driving privileges. (2) The suspension or denial of a professional or occupational license or placing an obligor on probationary status regarding the license, including licenses for racetrack personnel and racing participants. (3) The suspension or denial of a license involving riverboat gambling or placing an obligor on probationary status regarding the license. (4) The suspension or revocation of certain licenses issued by the department of natural resources or placing an obligor on probationary status regarding the license. (5) The data match system operated with financial institutions.)

Effective: July 1, 2010.

Rogers

January 12, 2010, read first time and referred to Committee on Judiciary.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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SENATE BILL No. 314



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 4-31-2-5.5 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5.5. "Delinquent"
- 3 means at least:
- 4 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); **(\$1,000)**; or
- 5 (2) three (3) months;
- 6 past due on payment of court ordered child support.
- 7 SECTION 2. IC 4-33-2-5.8 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5.8. "Delinquent"
- 9 means at least:
- 10 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); **(\$1,000)**; or
- 11 (2) three (3) months;
- 12 past due on payment of court ordered child support.
- 13 SECTION 3. IC 14-11-3-0.5 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 0.5. As used in this
- 15 chapter, "delinquent" means at least:
- 16 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); **(\$1,000)**; or
- 17 (2) three (3) months;



1 past due on payment of court ordered child support.

2 SECTION 4. IC 25-1-1.2-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. As used in this
4 chapter, "delinquent" means at least:

- 5 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); (**\$1,000**); or
- 6 (2) three (3) months;

7 past due on payment of court ordered child support.

8 SECTION 5. IC 27-1-15.6-2, AS AMENDED BY P.L.145-2006,
9 SECTION 163, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2010]: Sec. 2. The following definitions apply
11 throughout this chapter, IC 27-1-15.7, and IC 27-1-15.8:

- 12 (1) "Bureau" refers to the child support bureau established by
13 IC 31-25-3-1.
- 14 (2) "Business entity" means a corporation, an association, a
15 partnership, a limited liability company, a limited liability
16 partnership, or another legal entity.
- 17 (3) "Commissioner" means the insurance commissioner appointed
18 under IC 27-1-1-2.
- 19 (4) "Consultant" means a person who:
 - 20 (A) holds himself or herself out to the public as being engaged
21 in the business of offering; or
 - 22 (B) for a fee, offers;
23 any advice, counsel, opinion, or service with respect to the
24 benefits, advantages, or disadvantages promised under any policy
25 of insurance that could be issued in Indiana.
- 26 (5) "Delinquent" means the condition of being at least:
 - 27 (A) ~~two~~ **one** thousand dollars (~~\$2,000~~); (**\$1,000**); or
 - 28 (B) three (3) months;
- 29 past due in the payment of court ordered child support.
- 30 (6) "Home state" means the District of Columbia or any state or
31 territory of the United States in which an insurance producer:
 - 32 (A) maintains the insurance producer's principal place of
33 residence or principal place of business; and
 - 34 (B) is licensed to act as an insurance producer.
- 35 (7) "Insurance producer" means a person required to be licensed
36 under the laws of Indiana to sell, solicit, or negotiate insurance.
- 37 (8) "License" means a document issued by the commissioner
38 authorizing a person to act as an insurance producer for the lines
39 of authority specified in the document. The license itself does not
40 create any authority, actual, apparent, or inherent, in the holder to
41 represent or commit an insurance carrier.
- 42 (9) "Limited line credit insurance" includes the following:

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- 1 (A) Credit life insurance.
- 2 (B) Credit disability insurance.
- 3 (C) Credit property insurance.
- 4 (D) Credit unemployment insurance.
- 5 (E) Involuntary unemployment insurance.
- 6 (F) Mortgage life insurance.
- 7 (G) Mortgage guaranty insurance.
- 8 (H) Mortgage disability insurance.
- 9 (I) Guaranteed automobile protection (gap) insurance.
- 10 (J) Any other form of insurance:
 - 11 (i) that is offered in connection with an extension of credit
 - 12 and is limited to partially or wholly extinguishing that credit
 - 13 obligation; and
 - 14 (ii) that the insurance commissioner determines should be
 - 15 designated a form of limited line credit insurance.
- 16 (10) "Limited line credit insurance producer" means a person who
- 17 sells, solicits, or negotiates one (1) or more forms of limited line
- 18 credit insurance coverage to individuals through a master,
- 19 corporate, group, or individual policy.
- 20 (11) "Limited lines insurance" means any of the following:
 - 21 (A) The lines of insurance defined in section 18 of this
 - 22 chapter.
 - 23 (B) Any line of insurance the recognition of which is
 - 24 considered necessary by the commissioner for the purpose of
 - 25 complying with section 8(e) of this chapter.
 - 26 (C) For purposes of section 8(e) of this chapter, any form of
 - 27 insurance with respect to which authority is granted by a home
 - 28 state that restricts the authority granted by a limited lines
 - 29 producer's license to less than total authority in the associated
 - 30 major lines described in section 7(a)(1) through 7(a)(6) of this
 - 31 chapter.
- 32 (12) "Limited lines producer" means a person authorized by the
- 33 commissioner to sell, solicit, or negotiate limited lines insurance.
- 34 (13) "Negotiate" means the act of conferring directly with or
- 35 offering advice directly to a purchaser or prospective purchaser of
- 36 a particular contract of insurance concerning any of the
- 37 substantive benefits, terms, or conditions of the contract, provided
- 38 that the person engaged in that act either sells insurance or
- 39 obtains insurance from insurers for purchasers.
- 40 (14) "Person" means an individual or a business entity.
- 41 (15) "Sell" means to exchange a contract of insurance by any
- 42 means, for money or its equivalent, on behalf of a company.

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1 (16) "Solicit" means attempting to sell insurance or asking or
 2 urging a person to apply for a particular kind of insurance from a
 3 particular company.
 4 (17) "Surplus lines producer" means a person who sells, solicits,
 5 negotiates, or procures from an insurance company not licensed
 6 to transact business in Indiana an insurance policy that cannot be
 7 procured from insurers licensed to do business in Indiana.
 8 (18) "Terminate" means:
 9 (A) the cancellation of the relationship between an insurance
 10 producer and the insurer; or
 11 (B) the termination of a producer's authority to transact
 12 insurance.
 13 (19) "Uniform business entity application" means the current
 14 version of the national association of insurance commissioners
 15 uniform business entity application for resident and nonresident
 16 business entities.
 17 (20) "Uniform application" means the current version of the
 18 national association of insurance commissioners uniform
 19 application for resident and nonresident producer licensing.
 20 SECTION 6. IC 27-10-1-5.5 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5.5. "Delinquent"
 22 means at least:
 23 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); (**\$1,000**); or
 24 (2) three (3) months;
 25 past due on payment of court ordered child support.
 26 SECTION 7. IC 31-25-4-2, AS ADDED BY P.L.145-2006,
 27 SECTION 271, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2010]: Sec. 2. As used in this chapter,
 29 "delinquent" means at least:
 30 (1) ~~two~~ **one** thousand dollars (~~\$2,000~~); (**\$1,000**); or
 31 (2) three (3) months;
 32 past due on payment of court ordered child support.

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