

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 163, 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:

- 1 Page 10, line 28, delete "shall" and insert "**may**".
- 2 Page 11, line 4, delete "A" and insert "**Except in a case in which**
- 3 **the custodial parent of the dependent child qualifies for a good**
- 4 **cause or other exception provided by statute or administrative**
- 5 **rule, a**".
- 6 Page 11, line 4, after "cooperate" insert "**with the Title IV-D**
- 7 **agency as required by IC 12-14-7-2, IC 12-14-7-3, or**
- 8 **IC 12-14-2-24**".
- 9 Page 13, between lines 12 and 13, begin a new paragraph and insert:
- 10 "SECTION 20. IC 31-9-2-0.8 IS ADDED TO THE INDIANA
- 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2010]: **Sec. 0.8. "Active duty", for purposes**
- 13 **of IC 31-14-13-6.3 and IC 31-17-2-21.3, means full-time service in:**
- 14 **(1) the armed forces of the United States (as defined in**
- 15 **IC 5-9-4-3); or**
- 16 **(2) the National Guard (as defined in IC 5-9-4-4);**
- 17 **for a period that exceeds thirty (30) consecutive days in a calendar**
- 18 **year.**".
- 19 Page 14, after line 42, begin a new line blocked left and insert:
- 20 **"For purposes of subdivision (1), an individual certified as a**

1 **program participant in the address confidentiality program under**
2 **IC 5-26.5 is not required to provide the individual's current**
3 **residence and mailing address, but may provide an address**
4 **designated by the office of the attorney general under IC 5-26.5 as**
5 **the individual's current residence and mailing address."**

6 Page 16, between lines 3 and 4, begin a new paragraph and insert:

7 "SECTION 27. IC 31-14-13-6.3 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2010]: **Sec. 6.3. A court may not consider a**
10 **parent's absence or relocation due to active duty service as a factor**
11 **in determining custody or permanently modifying a child custody**
12 **order."**

13 Page 16, line 7, delete "requires" and insert "**require**".

14 Page 17, between lines 21 and 22, begin a new line blocked left and
15 insert:

16 "**For purposes of subdivision (1), an individual certified as a**
17 **program participant in the address confidentiality program under**
18 **IC 5-26.5 is not required to provide the individual's current**
19 **residence and mailing address, but may provide an address**
20 **designated by the office of the attorney general under IC 5-26.5 as**
21 **the individual's current residence and mailing address."**

22 Page 17, line 24, delete "A" and insert "**Except as provided in**
23 **subsection (c), a**".

24 Page 18, between lines 1 and 2, begin a new paragraph and insert:

25 "**(c) A party who is an individual certified as a program**
26 **participant in the address confidentiality program under IC 5-26.5**
27 **is not required to provide the individual's current residence and**
28 **mailing address, but may provide an address designated by the**
29 **office of the attorney general under IC 5-26.5 as the individual's**
30 **principal residence and mailing address."**

31 Page 25, between lines 29 and 30, begin a new paragraph and insert:

32 "SECTION 44. IC 31-17-2-21.3 IS ADDED TO THE INDIANA
33 CODE AS A NEW SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2010]: **Sec. 21.3. A court may**
35 **not consider a parent's absence or relocation due to active duty**
36 **service as a factor in determining custody or permanently**
37 **modifying a child custody order."**

38 Page 25, line 39, delete "is entitled to have" and insert "**may be**

- 1 **granted".**
- 2 Page 25, line 39, delete "any".
- 3 Page 27, line 27, delete "All" and insert "**The following**".
- 4 Page 27, line 27, delete ", including:" and insert ":".
- 5 Page 27, delete lines 28 through 42 and insert:
- 6 **"(A) Records of birth, marriage, and death.**
- 7 **(B) Tax and revenue records, including information**
- 8 **related to residence addresses, employers, and assets.**
- 9 **(C) Records concerning real and titled personal property.**
- 10 **(D) Records of occupational, professional, and recreational**
- 11 **licenses or permits.**
- 12 **(E) Records concerning the ownership and control of**
- 13 **corporations, partnerships, and other business entities.**
- 14 **(F) Employment security records.**
- 15 **(G) Records of agencies administering public assistance**
- 16 **programs.**
- 17 **(H) Records of the bureau of motor vehicles.**
- 18 **(I) Records of:**
- 19 **(i) the department of correction; and**
- 20 **(ii) county and municipal correction or confinement**
- 21 **facilities."**
- 22 Page 28, delete line 1.
- 23 Page 28, line 20, delete "The" and insert "**Information described**
- 24 **in this subsection shall be provided in response to a subpoena, or**
- 25 **the**".
- 26 Page 36, between lines 21 and 22, begin a new paragraph and insert:
- 27 "SECTION 48. IC 32-17.5-8-2.5 IS ADDED TO THE INDIANA
- 28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 29 [EFFECTIVE JULY 1, 2010]: **Sec. 2.5. (a) This section applies to a**
- 30 **disclaimer of an interest in property by a disclaimant who is**
- 31 **delinquent (as defined in IC 31-9-2-36(b)) before the disclaimer**
- 32 **becomes effective.**

- 1 **(b) A disclaimer of an interest in property is barred up to the**
- 2 **amount of the disclaimant's child support arrearage."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 163 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

Bray

Chairperson