



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 2(ss) be amended to read as follows:

- 1           Page 34, between lines 13 and 14, begin a new paragraph and insert:
- 2           "SECTION 19. IC 31-14-11-5 IS AMENDED TO READ AS
- 3           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The support
- 4           order:
- 5           (1) may include **one (1) or both of:**
- 6           **(A) the period of fetal gestation; or**
- 7           **(B) the period dating from the birth of the child; and**
- 8           (2) must include the period dating from the filing of the paternity
- 9           action.
- 10          SECTION 20. IC 31-16-6-1, AS AMENDED BY P.L.94-2018,
- 11          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12          UPON PASSAGE]: Sec. 1. (a) Subject to subsection ~~(f)~~; **(g)**, in an
- 13          action for dissolution of marriage under IC 31-15-2, legal separation
- 14          under IC 31-15-3, child support under IC 31-16-2, or establishment of
- 15          paternity under IC 31-14, the court may order either parent or both
- 16          parents to pay any amount reasonable for support of a child, without
- 17          regard to marital misconduct, after considering all relevant factors,
- 18          including:
- 19          (1) the financial resources of the custodial parent;
- 20          (2) the standard of living the child would have enjoyed if:
- 21          (A) the marriage had not been dissolved;

- 1 (B) the separation had not been ordered; or
- 2 (C) in the case of a paternity action, the parents had been
- 3 married and remained married to each other;
- 4 (3) the physical or mental condition of the child and the child's
- 5 educational needs; and
- 6 (4) the financial resources and needs of the noncustodial parent.
- 7 **(b) A support order under subsection (a):**
- 8 **(1) may include one (1) or both of:**
- 9 **(A) the period of fetal gestation; or**
- 10 **(B) the period dating from the birth of the child; and**
- 11 **(2) must include the period dating from the filing of the**
- 12 **paternity action.**
- 13 ~~(b)~~ **(c)** The court shall order that child support payments ordered
- 14 under this section be immediately withheld from the income of the
- 15 parent obligated to pay child support as provided under
- 16 IC 31-16-15-0.5.
- 17 ~~(c)~~ **(d)** The court shall order a custodial parent or third party under
- 18 IC 31-16-10-1 who receives child support to obtain an account at a
- 19 financial institution unless:
- 20 (1) the custodial parent or third party files a written objection
- 21 before a child support order is issued; and
- 22 (2) the court finds that good cause exists to exempt the custodial
- 23 parent or third party from the account requirement.
- 24 A custodial parent or third party ordered to obtain an account shall
- 25 provide the clerk of the circuit court, the state central collection unit,
- 26 or other person or entity acting as assignee or trustee for remittance
- 27 with an account number and any other information necessary to transfer
- 28 funds to the account.
- 29 ~~(d)~~ **(e)** In accordance with its policies, a financial institution may
- 30 restrict or deny services to a person ordered to obtain an account under
- 31 this section.
- 32 ~~(e)~~ **(f)** This section may not be construed to require the clerk of the
- 33 circuit court to remit child support payments by electronic funds
- 34 transfer.
- 35 ~~(f)~~ **(g)** In determining the amount to be ordered for support of a
- 36 child, incarceration of a parent may not be considered to be voluntary
- 37 unemployment.".
- 38 Renumber all SECTIONS consecutively.
- (Reference is to ESB 2(ss) as printed August 2, 2022.)

Representative Hatfield