



Reprinted  
March 21, 2023

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# ENGROSSED HOUSE BILL No. 1009

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DIGEST OF HB 1009 (Updated March 20, 2023 2:24 pm - DI 149)

**Citations Affected:** IC 31-14.

**Synopsis:** Court ordered expenses. Specifies what a court shall order a father to pay for pregnancy and childbirth expenses.

**Effective:** January 1, 2024.

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## Rowray, McNamara, King, Snow

(SENATE SPONSORS — BROWN L, ALEXANDER, DERNULC)

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January 12, 2023, read first time and referred to Committee on Judiciary.  
February 9, 2023, amended, reported — Do Pass.  
February 13, 2023, read second time, ordered engrossed.  
February 14, 2023, engrossed. Read third time, passed. Yeas 94, nays 1.

#### SENATE ACTION

February 27, 2023, read first time and referred to Committee on Judiciary.  
March 9, 2023, reported favorably — Do Pass.  
March 14, 2023, read second time, amended, ordered engrossed.  
March 15, 2023, engrossed.  
March 16, 2023, returned to second reading.  
March 20, 2023, re-read second time, amended, ordered engrossed.

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EH 1009—LS 7478/DI 106





Reprinted  
March 21, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1009

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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 31-14-17-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1. The court shall  
3 order the father to pay at least fifty percent (50%) of the reasonable ~~and~~  
4 ~~necessary~~ expenses of the mother's pregnancy and childbirth, including  
5 the cost of:  
6           (1) prenatal care;  
7           (2) delivery;  
8           (3) hospitalization;  
9           (4) **other necessary and reasonable expenses incurred in**  
10 **connection with the child's birth;**  
11           (5) **postpartum expenses;** and  
12           ~~(6)~~ (6) postnatal care.

EH 1009—LS 7478/DI 106



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1009, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1009 as introduced.)

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Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1009, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1009 as printed February 9, 2023.)

BROWN L, Chairperson

Committee Vote: Yeas 10, Nays 0

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1009 be amended to read as follows:

Page 1, line 9, after "necessary" insert "**and reasonable**".

(Reference is to EHB 1009 as printed March 10, 2023.)

FREEMAN



## SENATE MOTION

Madam President: I move that Engrossed House Bill 1009 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-14-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1. **(a)** If:

(1) a paternity affidavit is executed under IC 16-37-2-2.1; and

(2) the man who executed the paternity affidavit ~~fails to set forth evidence at a child support hearing that rebuts the man's paternity;~~

**undergoes blood or genetic testing under IC 31-14-6-1 that establishes that the father is a biological parent of the child;**

an order establishing paternity and child support for the child named in the paternity affidavit may be obtained at a child support hearing without any further proceedings to establish the child's paternity.

**(b) If a blood or genetic test establishes that the man who executed the paternity affidavit is a biological parent of the child, the court shall order that each parent pay for fifty percent (50%) of the expense for the blood or genetic testing."**

Page 1, after line 12, begin a new paragraph and insert:

"SECTION 3. IC 31-14-17-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: **Sec. 2. (a) Before the court shall order the father to pay expenses under section 1 of this chapter, the father shall undergo blood or genetic testing under IC 31-14-6-1 at the father's expense.**

**(b) If the blood or genetic testing establishes that the father is a biological parent of the child, the court shall order that each parent pay for fifty percent (50%) of the expense for the blood or genetic testing."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 1009 as printed March 10, 2023.)

FREEMAN



SENATE MOTION

Madam President: I move that Engrossed House Bill 1009, which is eligible for third reading, be returned to second reading for purposes of amendment.

BROWN L

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1009 be amended to read as follows:

Page 1, delete lines 1 through 14.

Page 2, delete lines 10 through 19.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1009 as reprinted March 15, 2023.)

BROWN L

