



Reprinted  
February 1, 2018

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## HOUSE BILL No. 1406

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DIGEST OF HB 1406 (Updated January 31, 2018 6:14 pm - DI 125)

**Citations Affected:** IC 4-31; IC 4-33; IC 4-35; IC 6-8.1; IC 7.1-3; IC 9-30; IC 14-11; IC 22-4; IC 25-1; IC 27-1; IC 27-10; IC 31-14; IC 31-16; IC 31-25; IC 31-34; IC 33-37; noncode.

**Synopsis:** Department of child services. Clarifies the collection of past due annual support fees by the child support bureau (bureau) and the clerk of the circuit court. Allows the bureau to collect child support payments made in cash. Allows the bureau and the clerk of the circuit court to recoup overpayments of child support. Clarifies duties of a licensing authority when imposing sanctions and penalties against a licensee or permit holder with a child support delinquency who is the subject of an order issued by the bureau. Repeals a requirement that an individual determined to be eligible for unemployment compensation self-disclose a child support obligation. Provides that the department of child services may: (1) initiate an action to determine paternity for a child who is the subject of a child in need of services proceeding; or (2) refer the case to the local prosecuting attorney's office to file a paternity action. Urges the legislative council to assign for study to an appropriate interim study committee the task of studying topics related to: (1) the adequacy of the statewide computer system used by the department of child services to monitor receipt and disbursement of child support payments; and (2) the estimated cost to update or replace the statewide computer system.

**Effective:** Upon passage; July 1, 2018.

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### Mayfield, Young J

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January 16, 2018, read first time and referred to Committee on Judiciary.  
January 29, 2018, amended, reported — Do Pass.  
January 31, 2018, read second time, amended, ordered engrossed.

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HB 1406—LS 6966/DI 125





Reprinted  
February 1, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

## HOUSE BILL No. 1406

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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 4-31-6-11, AS AMENDED BY P.L.103-2007,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2018]: Sec. 11. (a) Upon receiving an order from the bureau  
4 (Title IV-D agency) under IC 31-25-4-32(h) **or IC 31-25-4-34(c)**, the  
5 commission shall ~~send to the person who is the subject of the order a~~  
6 ~~notice that does the following:~~  
7 (1) ~~States that the person is delinquent and is subject to an order~~  
8 ~~placing the person on probationary status;~~  
9 (2) ~~Explains that unless the person contacts the bureau and:~~  
10 (A) ~~pays the person's child support arrearage in full;~~  
11 (B) ~~establishes a payment plan with the bureau to pay the~~  
12 ~~arrearage, which must include an income withholding order~~  
13 ~~under IC 31-16-15-2 or IC 31-16-15-2.5; or~~  
14 (C) ~~requests a hearing under IC 31-25-4-33;~~  
15 ~~within twenty (20) days after the date the notice is mailed; the~~  
16 ~~commission shall place the person on probationary status with~~  
17 ~~respect to any license issued to the person under this chapter.~~(3)

HB 1406—LS 6966/DI 125



1 Explains that the person may contest the bureau's determination  
 2 that the person is delinquent and subject to an order placing the  
 3 person on probationary status by making written application to the  
 4 bureau within twenty (20) days after the date the notice is mailed.

5 (4) Explains that the only basis for contesting the bureau's  
 6 determination that the person is delinquent and subject to an order  
 7 placing the person on probationary status is a mistake of fact.

8 (5) Explains the procedures to:

9 (A) pay the person's child support arrearage in full;

10 (B) establish a payment plan with the bureau to pay the  
 11 arrearage; which must include an income withholding order  
 12 under IC 31-16-15-2 or IC 31-16-15-2.5; and

13 (C) request a hearing under IC 31-25-4-33.

14 (6) Explains that the probation will terminate ten (10) business  
 15 days after the commission receives a notice from the bureau that  
 16 the person has:

17 (A) paid the person's child support arrearage in full; or

18 (B) established a payment plan with the bureau to pay the  
 19 arrearage; which includes an income withholding order under  
 20 IC 31-16-15-2 or IC 31-16-15-2.5.

21 **place on probationary status any license issued under this chapter**  
 22 **and held by the person who is the subject of the order. The**  
 23 **commission shall send the person a notice that does the following:**

24 (1) States that the person's license has been placed on  
 25 probationary status.

26 (2) States that the person's license will be suspended if the  
 27 commission has not received notice from the bureau under  
 28 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
 29 after the date of the notice.

30 (3) Describes the amount of child support that the person is in  
 31 arrears.

32 (4) Explains the procedures to:

33 (A) pay the person's child support arrearage in full; and

34 (B) establish a payment plan with the bureau to pay the  
 35 arrearage, which must include an income withholding  
 36 order under IC 31-16-15-2 or IC 31-16-15-2.5.

37 (b) Upon receiving an order from the bureau (Title IV-D agency)  
 38 under IC 31-25-4-34(c), the commission shall send to the person who  
 39 is the subject of the order a notice that states the following:

40 (1) That a license issued to the person under this chapter has been  
 41 placed on probationary status, beginning five (5) business days  
 42 after the date the notice is mailed; and that the probation will



1 terminate ten (10) business days after the commission receives a  
2 notice from the bureau that the person has:

3 (A) paid the person's child support arrearage in full; or

4 (B) established a payment plan with the bureau to pay the  
5 arrearage, which includes an income withholding order under  
6 IC 31-16-15-2 or IC 31-16-15-2.5;

7 (2) That if the commission is advised by the bureau that the  
8 person whose license has been placed on probationary status has  
9 failed to:

10 (A) pay the person's child support arrearage in full; or

11 (B) establish a payment plan with the bureau to pay the  
12 arrearage, which includes an income withholding order under  
13 IC 31-16-15-2 or IC 31-16-15-2.5;

14 within twenty (20) days after the date the notice is mailed; the  
15 commission shall suspend the person's license:

16 (c) If a person whose license has been placed on probationary status  
17 fails to:

18 (1) pay the person's child support arrearage in full; or

19 (2) establish a payment plan with the bureau to pay the arrearage;  
20 which includes an income withholding order under IC 31-16-15-2  
21 or IC 31-16-15-2.5;

22 within twenty (20) days after the notice required under subsection (b)  
23 is mailed; the commission shall suspend the person's license:

24 (b) If the commission has not received notice from the bureau  
25 under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)  
26 days after the date of the notice in subsection (a), the commission  
27 shall suspend the license issued to the person under this chapter.

28 (d) (c) The commission may not reinstate a license placed on  
29 probation **probationary status** or suspended under this section until  
30 the commission receives a notice from the bureau that the person has:

31 (1) paid the person's child support arrearage in full; or

32 (2) established a payment plan with the bureau to pay the  
33 arrearage, which includes an income withholding order under  
34 IC 31-16-15-2 or IC 31-16-15-2.5;

35 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**  
36 **addressed the delinquency.**

37 SECTION 2. IC 4-33-8.5-3, AS AMENDED BY P.L.103-2007,  
38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2018]: Sec. 3. (a) Upon receiving an order from the bureau  
40 (Title IV-D agency) under IC 31-25-4-32(h) **or IC 31-25-4-34(c)**, the  
41 commission shall send to the person who is the subject of the order a  
42 notice that does the following:



1 (1) States that the person is delinquent and is subject to an order  
2 placing the person on probationary status.

3 (2) Explains that unless the person contacts the bureau and:

4 (A) pays the person's child support arrearage in full;

5 (B) establishes a payment plan with the bureau to pay the  
6 arrearage; which must include an income withholding order  
7 under IC 31-16-15-2 or IC 31-16-15-2.5; or

8 (C) requests a hearing under IC 31-25-4-33;

9 within twenty (20) days after the date the notice is mailed; the  
10 commission shall place the person on probationary status with  
11 respect to any license issued to the person under this chapter.

12 (3) Explains that the person may contest the bureau's  
13 determination that the person is delinquent and subject to an order  
14 placing the person on probationary status by making written  
15 application to the bureau within twenty (20) days after the date  
16 the notice is mailed.

17 (4) Explains that the only basis for contesting the bureau's  
18 determination that the person is delinquent and subject to an order  
19 placing the person on probationary status is a mistake of fact.

20 (5) Explains the procedures to:

21 (A) pay the person's child support arrearage in full;

22 (B) establish a payment plan with the bureau to pay the  
23 arrearage; which must include an income withholding order  
24 under IC 31-16-15-2 or IC 31-16-15-2.5; and

25 (C) request a hearing under IC 31-25-4-33.

26 (6) Explains that the probation will terminate ten (10) business  
27 days after the commission receives a notice from the bureau that  
28 the person has:

29 (A) paid the person's child support arrearage in full; or

30 (B) established a payment plan with the bureau to pay the  
31 arrearage; which includes an income withholding order under  
32 IC 31-16-15-2 or IC 31-16-15-2.5.

33 **place on probationary status any license issued under this article**  
34 **and held by the person who is the subject of the order. The**  
35 **commission shall send the person a notice that does the following:**

36 (1) States that the person's license has been placed on  
37 probationary status.

38 (2) States that the person's license will be suspended if the  
39 commission has not received notice from the bureau under  
40 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
41 after the date of the notice.

42 (3) Describes the amount of child support that the person is in



1 arrears.

2 (4) Explains the procedures to:

- 3 (A) pay the person's child support arrearage in full; and  
 4 (B) establish a payment plan with the bureau to pay the  
 5 arrearage, which must include an income withholding  
 6 order under IC 31-16-15-2 or IC 31-16-15-2.5.

7 (b) Upon receiving an order from the bureau (Title IV-D agency)  
 8 under IC 31-25-4-34(c), the commission shall send to the person who  
 9 is the subject of the order a notice that states the following:

10 (1) That a license issued to the person under this article has been  
 11 placed on probationary status; beginning five (5) business days  
 12 after the date the notice is mailed; and that the probation will  
 13 terminate ten (10) business days after the commission receives a  
 14 notice from the bureau that the person has:

- 15 (A) paid the person's child support arrearage in full; or  
 16 (B) established a payment plan with the bureau to pay the  
 17 arrearage; which includes an income withholding order under  
 18 IC 31-16-15-2 or IC 31-16-15-2.5.

19 (2) That if the commission is advised by the bureau that the  
 20 person whose license has been placed on probationary status has  
 21 failed to:

- 22 (A) pay the person's child support arrearage in full; or  
 23 (B) establish a payment plan with the bureau to pay the  
 24 arrearage; which includes an income withholding order under  
 25 IC 31-16-15-2 or IC 31-16-15-2.5;

26 within twenty (20) days after the date the notice is mailed; the  
 27 commission shall suspend the person's license.

28 (c) If a person whose license has been placed on probationary status  
 29 fails to:

- 30 (1) pay the person's child support arrearage in full; or  
 31 (2) establish a payment plan with the bureau to pay the arrearage;  
 32 which includes an income withholding order under IC 31-16-15-2  
 33 or IC 31-16-15-2.5;

34 within twenty (20) days after the notice required under subsection (b)  
 35 is mailed; the commission shall suspend the person's license.

36 (b) If the commission has not received notice from the bureau  
 37 under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)  
 38 days after the date of the notice in subsection (a), the commission  
 39 shall suspend the license issued to the person under this article.

40 (d) (c) The commission may not reinstate a license placed on  
 41 probation **probationary status** or suspended under this section until  
 42 the commission receives a notice from the bureau that the person has:



- 1 (1) paid the person's child support arrearage in full; or  
 2 (2) established a payment plan with the bureau to pay the  
 3 arrearage, which includes an income withholding order under  
 4 IC 31-16-15-2 or IC 31-16-15-2.5.

5 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**  
 6 **addressed the delinquency.**

7 SECTION 3. IC 4-35-6.7-2, AS ADDED BY P.L.80-2010,  
 8 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2018]: Sec. 2. (a) Upon receiving an order from the bureau  
 10 (Title IV-D agency) under IC 31-25-4-32(h) or **IC 31-25-4-34(c)**, the  
 11 commission shall send to the person who is the subject of the order a  
 12 notice that does the following:

13 (1) States that the person is delinquent and is subject to an order  
 14 placing the person on probationary status:

15 (2) Explains that unless the person contacts the bureau and:

16 (A) pays the person's child support arrearage in full;

17 (B) establishes a payment plan with the bureau to pay the  
 18 arrearage, which includes an income withholding order under  
 19 IC 31-16-15-2 or IC 31-16-15-2.5; or

20 (C) requests a hearing under IC 31-25-4-33;

21 within twenty (20) days after the date the notice is mailed; the  
 22 commission shall place the person on probationary status with  
 23 respect to any license issued to the person under this chapter.

24 (3) Explains that the person may contest the bureau's  
 25 determination that the person is delinquent and subject to an order  
 26 placing the person on probationary status by making written  
 27 application to the bureau within twenty (20) days after the date  
 28 the notice is mailed.

29 (4) Explains that the only basis for contesting the bureau's  
 30 determination that the person is delinquent and subject to an order  
 31 placing the person on probationary status is a mistake of fact.

32 (5) Explains the procedures to:

33 (A) pay the person's child support arrearage in full;

34 (B) establish a payment plan with the bureau to pay the  
 35 arrearage, which includes an income withholding order under  
 36 IC 31-16-15-2 or IC 31-16-15-2.5; and

37 (C) request a hearing under IC 31-25-4-33.

38 (6) Explains that the probation will terminate ten (10) business  
 39 days after the commission receives a notice from the bureau that  
 40 the person has:

41 (A) paid the person's child support arrearage in full; or

42 (B) established a payment plan with the bureau to pay the





- 1                    arrearage; which includes an income withholding order under  
 2                    IC 31-16-15-2 or IC 31-16-15-2.5:  
 3 **place on probationary status any license issued under this article**  
 4 **and held by the person who is the subject of the order. The**  
 5 **commission shall send the person a notice that does the following:**  
 6                    (1) States that the person's license has been placed on  
 7                    probationary status.  
 8                    (2) States that the person's license will be suspended if the  
 9                    commission has not received notice from the bureau under  
 10                    IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
 11                    after the date of the notice.  
 12                    (3) Describes the amount of child support that the person is in  
 13                    arrears.  
 14                    (4) Explains the procedures to:  
 15                    (A) pay the person's child support arrearage in full; and  
 16                    (B) establish a payment plan with the bureau to pay the  
 17                    arrearage, which must include an income withholding  
 18                    order under IC 31-16-15-2 or IC 31-16-15-2.5.  
 19                    (b) Upon receiving an order from the bureau (Title IV-D agency)  
 20                    under IC 31-25-4-34(c), the commission shall send to the person who  
 21                    is the subject of the order a notice that states the following:  
 22                    (1) That a license issued to the person under this article has been  
 23                    placed on probationary status; beginning five (5) business days  
 24                    after the date the notice is mailed; and that the probation will  
 25                    terminate ten (10) business days after the commission receives a  
 26                    notice from the bureau that the person has:  
 27                    (A) paid the person's child support arrearage in full; or  
 28                    (B) established a payment plan with the bureau to pay the  
 29                    arrearage; which includes an income withholding order under  
 30                    IC 31-16-15-2 or IC 31-16-15-2.5.  
 31                    (2) That if the commission is advised by the bureau that the  
 32                    person whose license has been placed on probationary status has  
 33                    failed to:  
 34                    (A) pay the person's child support arrearage in full; or  
 35                    (B) establish a payment plan with the bureau to pay the  
 36                    arrearage; which includes an income withholding order under  
 37                    IC 31-16-15-2 or IC 31-16-15-2.5;  
 38                    within twenty (20) days after the date the notice is mailed; the  
 39                    commission shall suspend the person's license.  
 40                    (c) If a person whose license has been placed on probationary status  
 41                    fails to:  
 42                    (1) pay the person's child support arrearage in full; or



1 (2) establish a payment plan with the bureau to pay the arrearage;  
 2 which includes an income withholding order under IC 31-16-15-2  
 3 or IC 31-16-15-2.5;

4 within twenty (20) days after the notice required under subsection (b)  
 5 is mailed; the commission shall suspend the person's license.

6 (b) If the commission has not received notice from the bureau  
 7 under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)  
 8 days after the date of the notice in subsection (a), the commission  
 9 shall suspend the license issued to the person under this article.

10 (c) The commission may not reinstate a license placed on  
 11 probation ~~probationary status~~ or suspended under this section until  
 12 the commission receives a notice from the bureau ~~that the person has:~~

13 (1) paid the person's child support arrearage in full; or

14 (2) established a payment plan with the bureau to pay the  
 15 arrearage, which includes an income withholding order under  
 16 IC 31-16-15-2 or IC 31-16-15-2.5, as required by IC 4-35-4-16.

17 ~~under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has~~  
 18 ~~addressed the delinquency.~~

19 SECTION 4. IC 6-8.1-9.5-6 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. A debtor who  
 21 receives written notice pursuant to section 5 of this chapter is entitled  
 22 to contest the claimant agency's right to the debt and set off at a hearing  
 23 only if the debtor, ~~within not later than~~ thirty (30) days of his receipt  
 24 of notice after the date the written notice was mailed to the debtor,  
 25 mails to the claimant agency written notice that ~~he~~ the debtor intends  
 26 to contest the claimant agency's right to the debt.

27 SECTION 5. IC 7.1-3-23-44, AS ADDED BY P.L.80-2010,  
 28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2018]: Sec. 44. (a) As used in this section, "bureau" refers to  
 30 the child support bureau of the department of child services ~~establish~~  
 31 ~~established~~ by IC 31-25-3-1.

32 (b) As used in this section, "delinquent" has the meaning set forth  
 33 in IC 4-35-2-3.5.

34 (c) Upon receiving an order from the bureau (Title IV-D agency)  
 35 under IC 31-25-4-32(k) ~~or IC 31-25-4-34(f)~~, the commission shall  
 36 send to the person who is the subject of the order a notice that includes  
 37 the following information:

38 (1) The person is delinquent and subject to an order placing the  
 39 person on probationary status.

40 (2) That unless the person contacts the bureau and:

41 (A) pays the person's child support arrearage in full;

42 (B) establishes a payment plan with the bureau to pay the



- 1 arrearage; which includes an income withholding order under  
 2 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 3 (C) requests a hearing under IC 31-25-4-33;  
 4 within twenty (20) days after the date the notice is mailed; the  
 5 commission shall place the person on probationary status with  
 6 respect to a permit issued to the person under IC 7.1-3-18-9(a)(3).  
 7 (3) The person may contest the bureau's determination that the  
 8 person is delinquent and subject to an order placing the person on  
 9 probationary status by making written application to the bureau  
 10 within twenty (20) days after the date the notice is mailed.  
 11 (4) The only basis for contesting the bureau's determination that  
 12 the person is delinquent and subject to an order placing the person  
 13 on probationary status is a mistake of fact.  
 14 (5) The procedures to:  
 15 (A) pay the person's child support arrearage in full;  
 16 (B) establish a payment plan with the bureau to pay the  
 17 arrearage; which includes an income withholding order under  
 18 IC 31-16-15-2 or IC 31-16-15-2.5; and  
 19 (C) request a hearing under IC 31-25-4-33.  
 20 (6) The probation will end ten (10) business days after the date  
 21 that the commission receives a notice from the bureau that the  
 22 person has:  
 23 (A) paid the person's child support arrearage in full; or  
 24 (B) established a payment plan with the bureau to pay the  
 25 arrearage; which includes an income withholding order under  
 26 IC 31-16-15-2 or IC 31-16-15-2.5.  
 27 place on probationary status any permit issued under  
 28 IC 7.1-3-18-9(a)(3) and held by the person who is the subject of the  
 29 order. The commission shall send the person a notice that does the  
 30 following:  
 31 (1) States that the person's permit has been placed on  
 32 probationary status.  
 33 (2) States that the person's permit will be suspended if the  
 34 commission has not received notice from the bureau under  
 35 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
 36 after the date of the notice.  
 37 (3) Describes the amount of child support that the person is in  
 38 arrears.  
 39 (4) Explains the procedures to:  
 40 (A) pay the person's child support arrearage in full; and  
 41 (B) establish a payment plan with the bureau to pay the  
 42 arrearage, which must include an income withholding



1 **order under IC 31-16-15-2 or IC 31-16-15-2.5.**

2 (d) If the commission is advised by the bureau that the obligor either  
3 requested a hearing and failed to appear or appeared and was found to  
4 be delinquent, the commission shall send to the person who is the  
5 subject of the order a notice that states the following:

6 (1) That a permit issued to the person under IC 7.1-3-18-9(a)(3)  
7 has been placed on probationary status, beginning five (5)  
8 business days after the date the notice is mailed, and that the  
9 probation will end ten (10) business days after the date that the  
10 commission receives a notice from the bureau that the person has:

11 (A) paid the person's child support arrearage in full; or

12 (B) established a payment plan with the bureau to pay the  
13 arrearage, which includes an income withholding order under  
14 IC 31-16-15-2 or IC 31-16-15-2.5.

15 (2) That if the commission is advised by the bureau that the  
16 person whose permit has been placed on probationary status has  
17 failed to:

18 (A) pay the person's child support arrearage in full; or

19 (B) establish a payment plan with the bureau to pay the  
20 arrearage, which includes an income withholding order under  
21 IC 31-16-15-2 or IC 31-16-15-2.5;

22 within twenty (20) days after the date the notice is mailed, the  
23 commission shall suspend the person's permit.

24 (e) If a person whose permit has been placed on probationary status  
25 fails to:

26 (1) pay the person's child support arrearage in full; or

27 (2) establish a payment plan with the bureau to pay the arrearage,  
28 which includes an income withholding order under IC 31-16-15-2  
29 or IC 31-16-15-2.5;

30 within twenty (20) days after the notice required under subsection (c)  
31 is mailed, the commission shall suspend the person's permit.

32 (d) If the commission has not received notice from the bureau  
33 under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)  
34 days after the date of the notice in subsection (c), the commission  
35 shall suspend the permit issued to the person under  
36 IC 7.1-3-18-9(a)(3).

37 (⊕) (e) The commission may not reinstate a permit placed on  
38 probation **probationary status** or suspended under this section until  
39 the commission receives a notice from the bureau that the person has:

40 (1) paid the person's child support arrearage in full; or

41 (2) established a payment plan with the bureau to pay the  
42 arrearage, which includes an income withholding order under



1           ~~IC 31-16-15-2 or IC 31-16-15-2.5.~~  
 2           **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**  
 3           **addressed the delinquency.**  
 4           SECTION 6. IC 9-30-13-7, AS AMENDED BY P.L.217-2014,  
 5           SECTION 151, IS AMENDED TO READ AS FOLLOWS  
 6           [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) ~~If the bureau is advised by the~~  
 7           ~~Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either~~  
 8           ~~requested a hearing under IC 31-25-4-33 and failed to appear or~~  
 9           ~~appeared and was found to be delinquent; Upon receiving an order~~  
 10           **from the Title IV-D agency under IC 31-25-4-32(b) or**  
 11           **IC 31-25-4-33, the bureau shall promptly mail a notice to the obligor**  
 12           **(as defined in IC 31-25-4-4) stating the following:**  
 13                   (1) That the obligor's driving privileges are suspended, beginning  
 14                   eighteen (18) business days after the date the notice is mailed, and  
 15                   that the suspension will terminate after the bureau receives a  
 16                   notice from the Title IV-D agency ~~that the obligor has:~~  
 17                           (A) ~~paid the obligor's child support arrearage in full; or~~  
 18                           (B) ~~established a payment plan with the Title IV-D agency to~~  
 19                           ~~pay the arrearage; which includes an income withholding order~~  
 20                           ~~under IC 31-16-15-0.5 or IC 31-16-15-2.5.~~  
 21                   **under IC 31-25-4-32(m) that the obligor has addressed the**  
 22                   **delinquency.**  
 23                   (2) That the obligor may be granted specialized driving privileges  
 24                   under IC 9-30-16.  
 25                   **(b) If the bureau has not received notice from the Title IV-D**  
 26                   **agency under IC 31-25-4-32(m) within eighteen (18) days after the**  
 27                   **date of the notice in subsection (a), the bureau shall suspend the**  
 28                   **obligor's driving privileges.**  
 29                   ~~(b) (c) The bureau may not reinstate driving privileges suspended~~  
 30                   ~~under this section until the bureau receives a notice from the Title IV-D~~  
 31                   ~~agency that the obligor has:~~  
 32                           ~~(1) paid the obligor's child support arrearage in full; or~~  
 33                           ~~(2) established a payment plan with the Title IV-D agency to pay~~  
 34                           ~~the arrearage; which includes an income withholding order under~~  
 35                           ~~IC 31-16-15-0.5 or IC 31-16-15-2.5.~~  
 36                   **under IC 31-25-4-32(m) that the obligor has addressed the**  
 37                   **delinquency.**  
 38                   ~~(c) (d) An obligor who operates a motor vehicle in violation of this~~  
 39                   ~~section commits a Class A infraction, unless:~~  
 40                           (1) the obligor's driving privileges are suspended under this  
 41                           section; and  
 42                           (2) the obligor has been granted specialized driving privileges



1 under IC 9-30-16 as a result of the suspension under this section.

2 SECTION 7. IC 14-11-3-4, AS AMENDED BY P.L.123-2014,  
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2018]: Sec. 4. (a) Upon receiving an order from the bureau  
5 under IC 31-25-4-32(j) or **IC 31-25-4-34(e)**, the director shall send to  
6 the person who is the subject of the order a notice that does the  
7 following:

8 (1) States that the person is delinquent and is subject to an order  
9 placing the person on probationary status:

10 (2) Explains that unless the person contacts the bureau and:

11 (A) pays the person's child support arrearage in full; or

12 (B) establishes a payment plan with the bureau to pay the  
13 arrearage, which must include an income withholding order  
14 under IC 31-16-15-2 or IC 31-16-15-2.5;

15 within twenty (20) days after the date the notice is mailed; the  
16 director shall place the person on probationary status with respect  
17 to any license issued to the person under IC 14-22-12,  
18 IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7,  
19 or IC 14-31-3.

20 (3) Explains that the person may contest the bureau's  
21 determination that the person is delinquent and subject to an order  
22 placing the person on probationary status by making written  
23 application to the bureau within twenty (20) days after the date  
24 the notice is mailed:

25 (4) Explains that the only basis for contesting the bureau's  
26 determination that the person is delinquent and subject to an order  
27 placing the person on probationary status is a mistake of fact:

28 (5) Explains the procedures to:

29 (A) pay the person's child support arrearage in full; or

30 (B) establish a payment plan with the bureau to pay the  
31 arrearage, which must include an income withholding order  
32 under IC 31-16-15-2 or IC 31-16-15-2.5.

33 (6) Explains that the probation will terminate ten (10) business  
34 days after the director receives a notice from the bureau that the  
35 person has:

36 (A) paid the person's child support arrearage in full; or

37 (B) established a payment plan with the bureau to pay the  
38 arrearage, which includes an income withholding order under  
39 IC 31-16-15-2 or IC 31-16-15-2.5.

40 place on probationary status any license issued under IC 14-22-12,  
41 IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or  
42 IC 14-31-3 and held by the person who is the subject of the order.



- 1       **The director shall send the person a notice that does the following:**  
2           **(1) States that the person's license has been placed on**  
3           **probationary status.**  
4           **(2) States that the person's license will be suspended if the**  
5           **director has not received notice from the bureau under**  
6           **IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days**  
7           **after the date of the notice.**  
8           **(3) Describes the amount of child support that the person is in**  
9           **arrears.**  
10          **(4) Explains the procedures to:**  
11               **(A) pay the person's child support arrearage in full; and**  
12               **(B) establish a payment plan with the bureau to pay the**  
13               **arrearage, which must include an income withholding**  
14               **order under IC 31-16-15-2 or IC 31-16-15-2.5.**  
15          **(b) Upon receiving an order from the bureau under**  
16          **IC 31-25-4-34(e), the director shall send to the person who is the**  
17          **subject of the order a notice that states the following:**  
18               **(1) That a license issued to the person under IC 14-22-12,**  
19               **IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7,**  
20               **or IC 14-31-3 has been placed on probationary status; beginning**  
21               **five (5) business days after the date the notice is mailed; and that**  
22               **the probation will terminate ten (10) business days after the**  
23               **director receives a notice from the bureau that the person has:**  
24                       **(A) paid the person's child support arrearage in full; or**  
25                       **(B) established a payment plan with the bureau to pay the**  
26                       **arrearage; which includes an income withholding order under**  
27                       **IC 31-16-15-2 or IC 31-16-15-2.5.**  
28               **(2) That if the director is advised by the bureau that the person**  
29               **whose license has been placed on probationary status has failed**  
30               **to:**  
31                       **(A) pay the person's child support arrearage in full; or**  
32                       **(B) establish a payment plan with the bureau to pay the**  
33                       **arrearage; which includes an income withholding order under**  
34                       **IC 31-16-15-2 or IC 31-16-15-2.5;**  
35               **within twenty (20) days after the date the notice is mailed; the**  
36               **director shall suspend the person's license.**  
37          **(c) If a person whose license has been placed on probationary status**  
38          **fails to:**  
39               **(1) pay the person's child support arrearage in full; or**  
40               **(2) establish a payment plan with the bureau to pay the arrearage;**  
41               **which includes an income withholding order under IC 31-16-15-2**  
42               **or IC 31-16-15-2.5;**



1 within twenty (20) days after the notice required under subsection (b)  
 2 is mailed; the director shall suspend the person's license:

3 **(b) If the director has not received notice from the bureau under**  
 4 **IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after**  
 5 **the date of the notice in subsection (a), the director shall suspend**  
 6 **the license issued to the person under IC 14-22-12, IC 14-22-14,**  
 7 **IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.**

8 ~~(d)~~ **(c)** The director may not reinstate a license placed on probation  
 9 **probationary status** or suspended under this section until the director  
 10 receives a notice from the bureau that the person has:

11 (1) paid the person's child support arrearage in full; or

12 (2) established a payment plan with the bureau to pay the  
 13 arrearage, which includes an income withholding order under  
 14 IC 31-16-15-2 or IC 31-16-15-2.5.

15 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**  
 16 **addressed the delinquency.**

17 SECTION 8. IC 22-4-39-2 IS REPEALED [EFFECTIVE JULY 1,  
 18 2018]. Sec. 2. An individual filing a new claim for unemployment  
 19 compensation shall, at the time of filing the claim, disclose whether the  
 20 individual owes child support obligations as defined in section 1 of this  
 21 chapter. If the individual discloses that the individual owes child  
 22 support obligations and is determined to be eligible for unemployment  
 23 compensation, the department shall notify the state or local child  
 24 support enforcement agency enforcing that obligation that the  
 25 individual has been determined to be eligible for unemployment  
 26 compensation.

27 SECTION 9. IC 22-4-39-3 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. The department shall  
 29 deduct and withhold from any unemployment compensation payable to  
 30 an individual that owes child support obligations

31 (1) the amount specified by the **individual state or local child**  
 32 **support enforcement agency** to the department to be deducted  
 33 and withheld. ~~under this section; if neither subdivision (2) nor (3)~~  
 34 ~~is applicable;~~

35 (2) the amount (if any) determined pursuant to an agreement  
 36 submitted to the department under Section 454(20)(B)(1) of the  
 37 Social Security Act by the state or local child support enforcement  
 38 agency, unless subdivision (3) is applicable; or

39 (3) any amount otherwise required to be so deducted and withheld  
 40 from the unemployment compensation pursuant to legal process  
 41 properly served upon the department.

42 SECTION 10. IC 25-1-1.2-8, AS AMENDED BY P.L.103-2007,





1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 2 JULY 1, 2018]: Sec. 8. (a) The board shall, upon receiving an order  
 3 from the bureau under IC 31-25-4-32(e) or **IC 31-25-4-34(b)**, send a  
 4 notice to the practitioner identified by the bureau that includes the  
 5 following:

6 (1) Specifies that the practitioner is delinquent and is subject to  
 7 an order placing the practitioner on probationary status:

8 (2) Describes the amount of child support that the practitioner is  
 9 in arrears:

10 (3) Explains that unless the practitioner contacts the bureau and:

11 (A) pays the practitioner's child support arrearage in full;

12 (B) establishes a payment plan with the bureau to pay the  
 13 arrearage, which must include an income withholding order  
 14 under IC 31-16-15-2 or IC 31-16-15-2.5; or

15 (C) requests a hearing under IC 31-25-4-33;

16 within twenty (20) days after the date the notice is mailed; the  
 17 board shall place the practitioner on probationary status:

18 (4) Explains that the practitioner may contest the bureau's  
 19 determination that the practitioner is delinquent and subject to an  
 20 order placing the practitioner on probationary status by making  
 21 written application to the bureau within twenty (20) days after the  
 22 date the notice is mailed:

23 (5) Explains that the only basis for contesting the bureau's  
 24 determination that the practitioner is delinquent and subject to an  
 25 order placing the practitioner on probationary status is a mistake  
 26 of fact.

27 (6) Explains the procedures to:

28 (A) pay the practitioner's child support arrearage in full;

29 (B) establish a payment plan with the bureau to pay the  
 30 arrearage, which must include an income withholding order  
 31 under IC 31-16-15-2 or IC 31-16-15-2.5; and

32 (C) request a hearing under IC 31-25-4-33.

33 (7) Explains that the probation will terminate ten (10) business  
 34 days after the board receives a notice from the bureau that the  
 35 practitioner has:

36 (A) paid the practitioner's child support arrearage in full; or

37 (B) established a payment plan with the bureau to pay the  
 38 arrearage, which includes an income withholding order under

39 IC 31-16-15-2 or IC 31-16-15-2.5.

40 **place on probationary status any license issued by the board and**  
 41 **held by the person who is the subject of the order. The board shall**  
 42 **send the practitioner a notice that does the following:**



- 1           **(1) States that the person's license has been placed on**
- 2           **probationary status.**
- 3           **(2) States that the person's license will be suspended if the**
- 4           **board has not received notice from the bureau under**
- 5           **IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days**
- 6           **after the date of the notice.**
- 7           **(3) Describes the amount of child support that the person is in**
- 8           **arrears.**
- 9           **(4) Explains the procedures to:**
  - 10           **(A) pay the person's child support arrearage in full; and**
  - 11           **(B) establish a payment plan with the bureau to pay the**
  - 12           **arrearage, which must include an income withholding**
  - 13           **order under IC 31-16-15-2 or IC 31-16-15-2.5.**
- 14           **(b) If the board is advised by the bureau that the practitioner either**
- 15           **requested a hearing and failed to appear or appeared and was found to**
- 16           **be delinquent, the board shall promptly mail a notice to the practitioner**
- 17           **who is the subject of the order stating the following:**
  - 18           **(1) That the practitioner's license has been placed on probationary**
  - 19           **status, beginning five (5) business days after the date the notice**
  - 20           **is mailed; and that the probation will terminate ten (10) business**
  - 21           **days after the board receives a notice from the bureau that the**
  - 22           **person has:**
    - 23           **(A) paid the person's child support arrearage in full; or**
    - 24           **(B) established a payment plan with the bureau to pay the**
    - 25           **arrearage; which includes an income withholding order under**
    - 26           **IC 31-16-15-2 or IC 31-16-15-2.5.**
  - 27           **(2) That if the board is advised by the bureau that the practitioner**
  - 28           **whose license has been placed on probationary status has failed**
  - 29           **to:**
    - 30           **(A) pay the person's child support arrearage in full; or**
    - 31           **(B) establish a payment plan with the bureau to pay the**
    - 32           **arrearage; which includes an income withholding order under**
    - 33           **IC 31-16-15-2 or IC 31-16-15-2.5;**
    - 34           **within twenty (20) days after the date the notice is mailed; the**
    - 35           **board shall suspend the practitioner's license.**
- 36           **(c) If the board is advised by the bureau that the practitioner whose**
- 37           **license has been placed on probationary status has failed to:**
  - 38           **(1) pay the person's child support arrearage in full; or**
  - 39           **(2) establish a payment plan with the bureau to pay the arrearage;**
  - 40           **which includes an income withholding order under IC 31-16-15-2**
  - 41           **or IC 31-16-15-2.5;**
  - 42           **within twenty (20) days after the date the notice is mailed; the board**



1 shall suspend the practitioner's license.

2 **(b) If the board has not received notice from the bureau under**  
 3 **IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after**  
 4 **the date of the notice in subsection (a), the board shall suspend the**  
 5 **practitioner's license.**

6 ~~(d)~~ (c) The board may not reinstate a license or permit placed on  
 7 probation **probationary status** or suspended under this section until  
 8 the board receives a notice from the bureau that the person has:

9 (1) paid the person's child support arrearage in full; or

10 (2) established a payment plan with the bureau to pay the  
 11 arrearage, which includes an income withholding order under  
 12 IC 31-16-15-2 or IC 31-16-15-2.5.

13 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the practitioner**  
 14 **has addressed the delinquency.**

15 SECTION 11. IC 27-1-15.6-29, AS AMENDED BY P.L.103-2007,  
 16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2018]: Sec. 29. (a) Upon receiving an order from the bureau  
 18 (Title IV-D agency) under IC 31-25-4-32(i) or **IC 31-25-4-34(d)**, the  
 19 commissioner shall send to the person who is the subject of the order  
 20 a notice that does the following:

21 (1) States that the person is delinquent and is subject to an order  
 22 placing the person on probationary status.

23 (2) Explains that unless the person contacts the bureau and:

24 (A) pays the person's child support arrearage in full;

25 (B) establishes a payment plan with the bureau to pay the  
 26 arrearage, which must include an income withholding order  
 27 under IC 31-16-15-2 or IC 31-16-15-2.5; or

28 (C) requests a hearing under IC 31-25-4-33;

29 within twenty (20) days after the date the notice is mailed; the  
 30 commissioner shall place the person on probationary status with  
 31 respect to a license issued to the person under this chapter.

32 (3) Explains that the person may contest the bureau's  
 33 determination that the person is delinquent and subject to an order  
 34 placing the person on probationary status by making written  
 35 application to the bureau within twenty (20) days after the date  
 36 the notice is mailed.

37 (4) Explains that the only basis for contesting the bureau's  
 38 determination that the person is delinquent and subject to an order  
 39 placing the person on probationary status is a mistake of fact.

40 (5) Explains the procedures to:

41 (A) pay the person's child support arrearage in full;

42 (B) establish a payment plan with the bureau to pay the



- 1 arrearage; which must include an income withholding order  
 2 under IC 31-16-15-2 or IC 31-16-15-2.5; and  
 3 (C) request a hearing under IC 31-25-4-33.
- 4 (6) Explains that the probation will terminate ten (10) business  
 5 days after the commissioner receives a notice from the bureau that  
 6 the person has:
- 7 (A) paid the person's child support arrearage in full; or  
 8 (B) established a payment plan with the bureau to pay the  
 9 arrearage, which includes an income withholding order under  
 10 IC 31-16-15-2 or IC 31-16-15-2.5.
- 11 **place on probationary status any license issued under this article**  
 12 **and held by the person who is the subject of the order. The**  
 13 **commissioner shall send the person a notice that does the**  
 14 **following:**
- 15 (1) States that the person's license has been placed on  
 16 probationary status.
- 17 (2) States that the person's license will be suspended if the  
 18 commissioner has not received notice from the bureau under  
 19 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
 20 after the date of the notice.
- 21 (3) Describes the amount of child support that the person is in  
 22 arrears.
- 23 (4) Explains the procedures to:
- 24 (A) pay the person's child support arrearage in full; and  
 25 (B) establish a payment plan with the bureau to pay the  
 26 arrearage, which must include an income withholding  
 27 order under IC 31-16-15-2 or IC 31-16-15-2.5.
- 28 (b) Upon receiving an order from the bureau (Title IV-D agency)  
 29 under IC 31-25-4-34(d), the commissioner shall send a notice to the  
 30 person who is the subject of the order stating the following:
- 31 (1) That a license issued to the person under this chapter has been  
 32 placed on probationary status, beginning five (5) business days  
 33 after the date the notice was mailed, and that the probation will  
 34 terminate ten (10) business days after the commissioner receives  
 35 a notice from the bureau that the person has:
- 36 (A) paid the person's child support arrearage in full; or  
 37 (B) established a payment plan with the bureau to pay the  
 38 arrearage, which includes an income withholding order under  
 39 IC 31-16-15-2 or IC 31-16-15-2.5.
- 40 (2) That if the commissioner is advised by the bureau that the  
 41 person whose license has been placed on probationary status has  
 42 failed to:



- 1 (A) pay the person's child support arrearage in full; or  
 2 (B) establish a payment plan with the bureau to pay the  
 3 arrearage, which includes an income withholding order under  
 4 IC 31-16-15-2 or IC 31-16-15-2.5;  
 5 within twenty (20) days after the date the notice is mailed; the  
 6 commissioner shall suspend the person's license.
- 7 (e) If the commissioner receives a notice by the bureau (Title IV-D  
 8 agency) under IC 31-25-4-32(i) that the person whose license has been  
 9 placed on probationary status has failed to:
- 10 (1) pay the person's child support arrearage in full; or  
 11 (2) establish a payment plan with the bureau to pay the arrearage;  
 12 which includes an income withholding order under IC 31-16-15-2  
 13 or IC 31-16-15-2.5;  
 14 within twenty (20) days after the notice required under subsection (b)  
 15 is mailed, the commissioner shall suspend the person's license.
- 16 **(b) If the commissioner has not received notice from the bureau  
 17 under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)  
 18 days after the date of the notice in subsection (a), the commissioner  
 19 shall suspend the license issued to the person under this article.**
- 20 (d) (c) The commissioner may not reinstate any license placed on  
 21 probation **probationary status** or suspended under this section until  
 22 the commissioner receives a notice from the bureau ~~that the person has:~~
- 23 (1) paid the person's child support arrearage in full; or  
 24 (2) established a payment plan with the bureau to pay the  
 25 arrearage, which includes an income withholding order under  
 26 IC 31-16-15-2 or IC 31-16-15-2.5.  
 27 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has  
 28 addressed the delinquency.**
- 29 SECTION 12. IC 27-10-3-20, AS AMENDED BY P.L.103-2007,  
 30 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2018]: Sec. 20. (a) Upon receiving an order from the bureau  
 32 (Title IV-D agency) under IC 31-25-4-32(i) **or IC 31-25-4-34(d)**, the  
 33 commissioner shall send to the person who is the subject of the order  
 34 a notice that does the following:
- 35 (1) States that the person is delinquent and is subject to an order  
 36 placing the person on probationary status.  
 37 (2) Explains that unless the person contacts the bureau and:  
 38 (A) pays the person's child support arrearage in full;  
 39 (B) establishes a payment plan with the bureau to pay the  
 40 arrearage, which must include an income withholding order  
 41 under IC 31-16-15-2 or IC 31-16-15-2.5; or  
 42 (C) requests a hearing under IC 31-25-4-33;



1 within twenty (20) days after the date the notice is mailed; the  
 2 commissioner shall place the person on probationary status with  
 3 respect to any license issued to the person under this chapter.

4 (3) Explains that the person may contest the bureau's  
 5 determination that the person is delinquent and subject to an order  
 6 placing the person on probationary status by making written  
 7 application to the bureau within twenty (20) days after the date  
 8 the notice is mailed.

9 (4) Explains that the only basis for contesting the bureau's  
 10 determination that the person is delinquent and subject to an order  
 11 placing the person on probationary status is a mistake of fact.

12 (5) Explains the procedures to:

13 (A) pay the person's child support arrearage in full;

14 (B) establish a payment plan with the bureau to pay the  
 15 arrearage, which must include an income withholding order  
 16 under IC 31-16-15-2 or IC 31-16-15-2.5; and

17 (C) request a hearing under IC 31-25-4-33.

18 (6) Explains that the probation will terminate ten (10) business  
 19 days after the commissioner receives a notice from the bureau that  
 20 the person has:

21 (A) paid the person's child support arrearage in full; or

22 (B) established a payment plan with the bureau to pay the  
 23 arrearage, which includes an income withholding order under  
 24 IC 31-16-15-2 or IC 31-16-15-2.5.

25 **place on probationary status any license issued under this chapter**  
 26 **and held by the person who is the subject of the order. The**  
 27 **commissioner shall send the person a notice that does the**  
 28 **following:**

29 (1) States that the person's license has been placed on  
 30 probationary status.

31 (2) States that the person's license will be suspended if the  
 32 commissioner has not received notice from the bureau under  
 33 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days  
 34 after the date of the notice.

35 (3) Describes the amount of child support that the person is in  
 36 arrears.

37 (4) Explains the procedures to:

38 (A) pay the person's child support arrearage in full; and

39 (B) establish a payment plan with the bureau to pay the  
 40 arrearage, which must include an income withholding  
 41 order under IC 31-16-15-2 or IC 31-16-15-2.5.

42 (b) Upon receiving an order from the bureau (Title IV-D agency)



1 under IC 31-25-4-34(d), the commissioner shall send to the person who  
2 is the subject of the order a notice that states the following:

3 (1) That a license issued to the person under this chapter has been  
4 placed on probationary status, beginning five (5) business days  
5 after the date the notice is mailed; and that the probation will  
6 terminate ten (10) business days after the commissioner receives  
7 a notice from the bureau that the person has:

8 (A) paid the person's child support arrearage in full; or

9 (B) established a payment plan with the bureau to pay the  
10 arrearage; which includes an income withholding order under  
11 IC 31-16-15-2 or IC 31-16-15-2.5;

12 (2) That if the commissioner is advised by the bureau that the  
13 person whose license has been placed on probationary status has  
14 failed to:

15 (A) pay the person's child support arrearage in full; or

16 (B) establish a payment plan with the bureau to pay the  
17 arrearage; which includes an income withholding order under  
18 IC 31-16-15-2 or IC 31-16-15-2.5;

19 within twenty (20) days after the date the notice is mailed; the  
20 commissioner shall suspend the person's license.

21 (e) If the commissioner receives a notice from the bureau (Title  
22 IV-D agency) under IC 31-25-4-32(i) that the person whose license has  
23 been placed on probationary status has failed to:

24 (1) pay the person's child support arrearage in full; or

25 (2) establish a payment plan with the bureau to pay the arrearage;  
26 which includes an income withholding order under IC 31-16-15-2  
27 or IC 31-16-15-2.5;

28 within twenty (20) days after the notice required under subsection (b)  
29 is mailed; the commissioner shall suspend the person's license.

30 **(b) If the commissioner has not received notice from the bureau**  
31 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)**  
32 **days after the date of the notice in subsection (a), the commissioner**  
33 **shall suspend the license issued to the person under this chapter.**

34 (c) The commissioner may not reinstate any license placed on  
35 probation **probationary status** or suspended under this section until  
36 the commissioner receives a notice from the bureau that the person has:

37 (1) paid the person's child support arrearage in full; or

38 (2) established a payment plan with the bureau to pay the  
39 arrearage; which includes an income withholding order under  
40 IC 31-16-15-2 or IC 31-16-15-2.5.

41 under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has  
42 addressed the delinquency.



1 SECTION 13. IC 31-14-4-1, AS AMENDED BY P.L.206-2015,  
 2 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2018]: Sec. 1. A paternity action may be filed by the following  
 4 persons:

- 5 (1) The mother or expectant mother.
- 6 (2) A man alleging that:
  - 7 (A) he is the child's biological father; or
  - 8 (B) he is the expectant father of an unborn child.
- 9 (3) The mother and a man alleging that he is her child's biological  
 10 father, filing jointly.
- 11 (4) The expectant mother and a man alleging that he is the  
 12 biological father of her unborn child, filing jointly.
- 13 (5) A child.
- 14 (6) If paternity of a child has not been established, the department  
 15 **by filing an action under this article for a child who is the**  
 16 **subject of** in a child in need of services proceeding.
- 17 (7) If the paternity of a child has not been established:
  - 18 (A) the department; or
  - 19 (B) a prosecuting attorney operating under an agreement or  
 20 contract with the department described in IC 31-25-4-13.1.

21 SECTION 14. IC 31-16-9-1, AS AMENDED BY P.L.207-2013,  
 22 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2018]: Sec. 1. (a) This subsection applies before January 1,  
 24 2007. Upon entering an order for support in:

- 25 (1) a dissolution of marriage decree under IC 31-15-2;
- 26 (2) a legal separation decree under IC 31-15-3; or
- 27 (3) a child support decree under IC 31-16-2;

28 the court shall require that support payments be made through the clerk  
 29 of the circuit court as trustee for remittance to the person entitled to  
 30 receive payments, unless the court has reasonable grounds for  
 31 providing or approving another method of payment.

32 (b) Beginning January 1, 2007, except as provided in subsection (c),  
 33 upon entering an order for support in:

- 34 (1) a dissolution of marriage decree under IC 31-15-2;
- 35 (2) a legal separation decree under IC 31-15-3; or
- 36 (3) a child support decree under IC 31-14-11 or IC 31-16-2;

37 the court shall require that support payments be made through the clerk  
 38 of the circuit court or the state central collection unit established by  
 39 ~~IC 31-33-1.5-8~~, **IC 31-25-3-1**, as trustee for remittance to the person  
 40 entitled to receive payments, unless the court has reasonable grounds  
 41 for providing or approving another method of payment.

42 (c) ~~Beginning January 1, 2007,~~ **The clerk of the circuit court may**





1 **only accept** child support payments that are paid in cash, ~~must be paid~~  
 2 ~~to a clerk of the circuit court~~, and all noncash **child support** payments  
 3 must be paid to the state central collection unit established within the  
 4 child support bureau by IC 31-25-3-1.

5 SECTION 15. IC 31-16-15-19, AS AMENDED BY P.L.103-2007,  
 6 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2018]: Sec. 19. ~~(a)~~ If an obligor:

8 (1) is entitled to net income in the form of:

9 (A) severance pay;

10 (B) accumulated sick pay;

11 (C) vacation pay;

12 (D) accumulated commissions;

13 (E) a bonus payment in addition to regular earned income; or

14 (F) other lump sum payment; and

15 (2) owes an amount of child support that is in arrears;

16 the income payor shall withhold the amount in arrears ~~or the product~~  
 17 ~~computed under subsection (b)~~, ~~whichever is less~~; up to the maximum  
 18 permitted under 15 U.S.C. 1673(b).

19 ~~(b) The income payor shall multiply:~~

20 ~~(1) the amount of support the obligor is required to pay each~~  
 21 ~~week; by~~

22 ~~(2) the number of weeks represented by the lump sum payment.~~

23 SECTION 16. IC 31-16-21-1, AS AMENDED BY P.L.148-2006,  
 24 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2018]: Sec. 1. (a) Whenever in any court proceeding an order  
 26 is in force for the support and maintenance of the other party to the  
 27 proceeding, the individual required to pay the support shall pay the  
 28 support.

29 (b) The clerk, if the payment is in cash, or the state central  
 30 collection unit, for all ~~other~~ forms of payment, shall collect from the  
 31 individual, in addition to the payments, the **annual support** fee  
 32 specified in IC 33-37-5-6.

33 (c) The clerk may collect any unpaid **annual support** fee ~~that was~~  
 34 ~~due prior to January 1, 2011, through any lawful means. in a~~  
 35 ~~proceeding for contempt.~~

36 (d) The state central collection unit may collect any unpaid **annual**  
 37 **support** fee ~~due after December 31, 2010~~, through any lawful means.  
 38 ~~including income withholding.~~

39 (e) ~~The clerk or state central collection unit may contract with~~  
 40 ~~a collection agency licensed under IC 25-11 to collect past due~~  
 41 ~~annual support fees described in subsections (c) and (d).~~

42 SECTION 17. IC 31-25-4-8, AS ADDED BY P.L.145-2006,



1 SECTION 271, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2018]: Sec. 8. In addition to the duties imposed  
 3 by section 7 of this chapter, the bureau shall do the following:

4 (1) Perform one (1) of the following under IC 22-4-39:

5 (A) Enter into an agreement with each individual who owes a  
 6 child support obligation being enforced by the child support  
 7 bureau and who is eligible for unemployment compensation  
 8 benefits under IC 22-4 to have a specified amount withheld  
 9 from the benefits otherwise payable to the individual, not to  
 10 exceed the individual's unemployment compensation weekly  
 11 benefit amount.

12 (B) Bring legal process to require the withholding of specified  
 13 amounts from the individual's unemployment compensation  
 14 benefits.

15 (C) Accept an amount specified by the individual to be  
 16 deducted and withheld by the department of workforce  
 17 development.

18 (2) (1) Notify the department of workforce development of the  
 19 amounts to be deducted from an individual's unemployment  
 20 compensation, as determined under subdivision (1); not to exceed  
 21 the individual's weekly benefit amount of unemployment  
 22 compensation.

23 (2) (2) Reimburse the department of workforce development for  
 24 the administrative costs incurred by the department under  
 25 IC 22-4-39.

26 SECTION 18. IC 31-25-4-17.5 IS ADDED TO THE INDIANA  
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2018]: **Sec. 17.5. If the bureau or the clerk of  
 29 the circuit court determines that a recipient of a court ordered  
 30 support obligation has received payments that the recipient is not  
 31 entitled to, the bureau or the clerk of the circuit court may recoup  
 32 the amount of the overpayment from the recipient.**

33 SECTION 19. IC 31-25-4-32, AS AMENDED BY P.L.80-2010,  
 34 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2018]: Sec. 32. (a) When the Title IV-D agency finds that an  
 36 obligor is delinquent, the Title IV-D agency shall send, to a verified  
 37 address, a notice to the obligor that does the following:

38 (1) Specifies that the obligor is delinquent.

39 (2) Describes the amount of child support that the obligor is in  
 40 arrears.

41 (3) States that unless the obligor:

42 (A) pays the obligor's child support arrearage in full;



- 1 (B) establishes a payment plan with the Title IV-D agency to  
 2 pay the arrearage, which includes an income withholding  
 3 order; or  
 4 (C) requests a hearing under section 33 of this chapter;  
 5 within twenty (20) days after the date the notice is mailed, the  
 6 Title IV-D agency shall issue an order to the bureau of motor  
 7 vehicles stating that the obligor is delinquent and that the  
 8 obligor's driving privileges shall be suspended.
- 9 (4) Explains that the obligor has twenty (20) days after the notice  
 10 is mailed to do one (1) of the following:  
 11 (A) Pay the obligor's child support arrearage in full.  
 12 (B) Establish a payment plan with the Title IV-D agency to  
 13 pay the arrearage, which includes an income withholding order  
 14 under IC 31-16-15-2 or IC 31-16-15-2.5.  
 15 (C) Request a hearing under section 33 of this chapter.
- 16 (5) Explains that if the obligor has not satisfied any of the  
 17 requirements of subdivision (4) **within not later than** twenty (20)  
 18 days after the notice is mailed, that the Title IV-D agency shall  
 19 issue a notice to:  
 20 (A) the board or department that regulates the obligor's  
 21 profession or occupation, if any, that the obligor is delinquent  
 22 and that the obligor may be subject to sanctions under  
 23 IC 25-1-1.2, including suspension or revocation of the  
 24 obligor's professional or occupational license;  
 25 (B) the supreme court disciplinary commission if the obligor  
 26 is licensed to practice law;  
 27 (C) the department of education established by IC 20-19-3-1  
 28 if the obligor is a licensed teacher;  
 29 (D) the Indiana horse racing commission if the obligor holds  
 30 or applies for a license issued under IC 4-31-6;  
 31 (E) the Indiana gaming commission if the obligor holds or  
 32 applies for a license issued under IC 4-33 and IC 4-35;  
 33 (F) the commissioner of the department of insurance if the  
 34 obligor holds or is an applicant for a license issued under  
 35 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;  
 36 (G) the director of the department of natural resources if the  
 37 obligor holds or is an applicant for a license issued by the  
 38 department of natural resources under:  
 39 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);  
 40 (ii) IC 14-22-14 (Lake Michigan commercial fishing  
 41 license);  
 42 (iii) IC 14-22-16 (bait dealer's license);



- 1 (iv) IC 14-22-17 (mussel license);
- 2 (v) IC 14-22-19 (fur buyer's license);
- 3 (vi) IC 14-24-7 (nursery dealer's license); or
- 4 (vii) IC 14-31-3 (ginseng dealer's license); or
- 5 (H) the alcohol and tobacco commission if the obligor holds or
- 6 applies for an employee's permit under IC 7.1-3-18-9(a)(3).
- 7 (6) Explains that the only basis for contesting the issuance of an
- 8 order under subdivision (3) or (5) is a mistake of fact.
- 9 (7) Explains that an obligor may contest the Title IV-D agency's
- 10 determination to issue an order under subdivision (3) or (5) by
- 11 making written application to the Title IV-D agency **within not**
- 12 **later than** twenty (20) days after the date the notice is mailed.
- 13 (8) Explains the procedures to:
- 14 (A) pay the obligor's child support arrearage in full; and
- 15 (B) establish a payment plan with the Title IV-D agency to pay
- 16 the arrearage, which must include an income withholding
- 17 order under IC 31-16-15-2 or IC 31-16-15-2.5.
- 18 (b) Whenever the Title IV-D agency finds that an obligor is
- 19 delinquent and has failed to:
- 20 (1) pay the obligor's child support arrearage in full;
- 21 (2) establish a payment plan with the Title IV-D agency to pay the
- 22 arrearage, which includes an income withholding order under
- 23 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 24 (3) request a hearing under section 33 of this chapter **within not**
- 25 **later than** twenty (20) days after the date the notice described in
- 26 subsection (a) is mailed;
- 27 the Title IV-D agency shall issue an order to the bureau of motor
- 28 vehicles stating that the obligor is delinquent.
- 29 (c) An order issued under subsection (b) must require the following:
- 30 (1) If the obligor who is the subject of the order holds a driving
- 31 license or permit on the date the order is issued, that the driving
- 32 privileges of the obligor be suspended until further order of the
- 33 Title IV-D agency.
- 34 (2) If the obligor who is the subject of the order does not hold a
- 35 driving license or permit on the date the order is issued, that the
- 36 bureau of motor vehicles may not issue a driving license or permit
- 37 to the obligor until the bureau of motor vehicles receives a further
- 38 order from the Title IV-D agency.
- 39 (d) The Title IV-D agency shall provide the:
- 40 (1) full name;
- 41 (2) date of birth;
- 42 (3) verified address; and



1 (4) Social Security number or driving license number;  
2 of the obligor to the bureau of motor vehicles.

3 (e) Whenever the Title IV-D agency finds that an obligor who is an  
4 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in  
5 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed  
6 to:

7 (1) pay the obligor's child support arrearage in full;

8 (2) establish a payment plan with the Title IV-D agency to pay the  
9 arrearage, which includes an income withholding order under  
10 IC 31-16-15-2 or IC 31-16-15-2.5; or

11 (3) request a hearing under section 33 of this chapter;  
12 the Title IV-D agency shall issue an order to the board regulating the  
13 practice of the obligor's profession or occupation stating that the  
14 obligor is delinquent.

15 (f) An order issued under subsection (e) must direct the board or  
16 department regulating the obligor's profession or occupation to impose  
17 the appropriate sanctions described under IC 25-1-1.2.

18 (g) Whenever the Title IV-D agency finds that an obligor who is an  
19 attorney or a licensed teacher is delinquent and the attorney or licensed  
20 teacher has failed to:

21 (1) pay the obligor's child support arrearage in full;

22 (2) establish a payment plan with the Title IV-D agency to pay the  
23 arrearage, which includes an income withholding order under  
24 IC 31-16-15-2 or IC 31-16-15-2.5; or

25 (3) request a hearing under section 33 of this chapter;  
26 the Title IV-D agency shall notify the supreme court disciplinary  
27 commission if the obligor is an attorney, or the department of education  
28 if the obligor is a licensed teacher, that the obligor is delinquent.

29 (h) Whenever the Title IV-D agency finds that an obligor who holds  
30 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:

31 (1) pay the obligor's child support arrearage in full;

32 (2) establish a payment plan with the Title IV-D agency to pay the  
33 arrearage, which includes an income withholding order under  
34 IC 31-16-15-2 or IC 31-16-15-2.5; or

35 (3) request a hearing under section 33 of this chapter;  
36 the Title IV-D agency shall issue an order to the Indiana horse racing  
37 commission if the obligor holds a license issued under IC 4-31-6, or to  
38 the Indiana gaming commission if the obligor holds a license issued  
39 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and  
40 directing the commission to impose the appropriate sanctions described  
41 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

42 (i) Whenever the Title IV-D agency finds that an obligor who holds



1 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has  
2 failed to:

- 3 (1) pay the obligor's child support arrearage in full;  
4 (2) establish a payment plan with the Title IV-D agency to pay the  
5 arrearage, which includes an income withholding order under  
6 IC 31-16-15-2 or IC 31-16-15-2.5; or  
7 (3) request a hearing under section 33 of this chapter;

8 the Title IV-D agency shall issue an order to the commissioner of the  
9 department of insurance stating that the obligor is delinquent and  
10 directing the commissioner to impose the appropriate sanctions  
11 described in IC 27-1-15.6-29 or IC 27-10-3-20.

12 (j) Whenever the Title IV-D agency finds that an obligor who holds  
13 a license issued by the department of natural resources under  
14 IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,  
15 IC 14-24-7, or IC 14-31-3 has failed to:

- 16 (1) pay the obligor's child support arrearage in full;  
17 (2) establish a payment plan with the Title IV-D agency to pay the  
18 arrearage, which includes an income withholding order under  
19 IC 31-16-15-2 or IC 31-16-15-2.5; or  
20 (3) request a hearing under section 33 of this chapter;

21 the Title IV-D agency shall issue an order to the director of the  
22 department of natural resources stating that the obligor is delinquent  
23 and directing the director to suspend or revoke a license issued to the  
24 obligor by the department of natural resources as provided in  
25 IC 14-11-3.

26 (k) If the Title IV-D agency finds that an obligor who holds an  
27 employee's permit issued under IC 7.1-3-18-9(a)(3) has failed to:

- 28 (1) pay the obligor's child support arrearage in full;  
29 (2) establish a payment plan with the Title IV-D agency to pay the  
30 arrearage, which includes an income withholding order under  
31 IC 31-16-15-2 or IC 31-16-15-2.5; or  
32 (3) request a hearing under section 33 of this chapter;

33 the Title IV-D agency shall issue an order to the alcohol and tobacco  
34 commission stating that the obligor is delinquent and directing the  
35 alcohol and tobacco commission to impose the appropriate sanctions  
36 under IC 7.1-3-23-44.

37 (l) A person's most recent address on file with the bureau constitutes  
38 a verified address for purposes of this section.

39 **(m) When an obligor who was the subject of an order issued by**  
40 **the Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or**  
41 **(k) has:**

- 42 **(1) paid the obligor's child support arrearage in full; or**



1           **(2) established a payment plan with the Title IV-D agency to**  
 2           **pay the arrearage, which includes an income withholding**  
 3           **order under IC 31-16-15-2 or IC 31-16-15-2.5;**  
 4           **the Title IV-D agency shall provide notice to the appropriate entity**  
 5           **under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has**  
 6           **addressed the delinquency.**

7           SECTION 20. IC 31-25-4-34, AS AMENDED BY P.L.80-2010,  
 8           SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9           JULY 1, 2018]: Sec. 34. (a) As used in this section, "board" has the  
 10          meaning set forth in IC 25-1-1.2-2.

11          (b) If an obligor holds a license issued by a board and requests a  
 12          hearing under section 33 of this chapter but fails to appear or appears  
 13          and is found to be delinquent, the Title IV-D agency shall issue an  
 14          order to the board that issued the obligor's license:

15               (1) stating that the obligor is delinquent; and

16               (2) requiring the board to comply with the actions required under  
 17               ~~IC 25-1-1.2-8(b)~~; **IC 25-1-1.2-8.**

18          (c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, or  
 19          IC 4-35 and requests a hearing under section 33 of this chapter but fails  
 20          to appear or appears and is found to be delinquent, the Title IV-D  
 21          agency shall issue an order to the:

22               (1) Indiana horse racing commission, if the obligor holds a license  
 23               issued under IC 4-31-6; or

24               (2) Indiana gaming commission, if the obligor holds a license  
 25               issued under IC 4-33 or IC 4-35;

26          stating that the obligor is delinquent and requiring the commission to  
 27          comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or  
 28          IC 4-35-6.7-2.

29          (d) If an obligor holds a license issued under IC 27-1-15.6,  
 30          IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of  
 31          this chapter but fails to appear or appears and is found to be delinquent,  
 32          the Title IV-D agency shall issue an order to the commissioner of the  
 33          department of insurance:

34               (1) stating that the obligor is delinquent; and

35               (2) requiring the commissioner to comply with the actions  
 36               required under IC 27-1-15.6-29 or IC 27-10-3-20.

37          (e) If an obligor holds a license issued by the department of natural  
 38          resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17,  
 39          IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under  
 40          section 33 of this chapter but fails to appear, or appears and is found to  
 41          be delinquent, the Title IV-D agency shall issue an order to the director  
 42          of the department of natural resources:



- 1 (1) stating that the obligor is delinquent; and
- 2 (2) requiring the director to suspend or revoke a license issued by
- 3 the department as provided in IC 14-11-3.
- 4 (f) If an obligor:
- 5 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);
- 6 and
- 7 (2) requests a hearing under section 33 of this chapter but fails to
- 8 appear or appears and is found to be delinquent;
- 9 the Title IV-D agency shall issue an order to the alcohol and tobacco
- 10 commission stating that the obligor is delinquent and requiring the
- 11 commission to impose the appropriate sanctions under IC 7.1-3-23-44.

12 **(g) When an obligor who was the subject of an order issued by**  
 13 **the Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:**

- 14 (1) paid the obligor's child support arrearage in full; or
- 15 (2) established a payment plan with the Title IV-D agency to
- 16 pay the arrearage, which includes an income withholding
- 17 order under IC 31-16-15-2 or IC 31-16-15-2.5;

18 **the Title IV-D agency shall provide notice to the appropriate entity**  
 19 **under subsection (b), (c), (d), (e), or (f) that the obligor has**  
 20 **addressed the delinquency.**

21 SECTION 21. IC 31-34-15-6, AS AMENDED BY P.L.128-2012,  
 22 SECTION 162, IS AMENDED TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) This section applies whenever  
 24 a child who was born out of wedlock is:

- 25 (1) or is alleged to be a child in need of services; and
- 26 (2) under the supervision of the department or a local office as a
- 27 result of a court ordered out-of-home placement.

28 (b) The department or the local office ~~shall~~ **may** refer a child's case  
 29 to the local prosecuting attorney's office for the filing of a paternity  
 30 action if the:

- 31 (1) identity of the alleged father is known; and
- 32 (2) department or the local office reasonably believes that
- 33 establishing the paternity of the child would be beneficial to the
- 34 child.

35 The local prosecuting attorney's office shall file a paternity action  
 36 regarding each case that is referred under this subsection. ~~The~~  
 37 ~~department shall sign the paternity petition as the child's next friend.~~

38 SECTION 22. IC 33-37-5-6, AS AMENDED BY P.L.128-2012,  
 39 SECTION 181, IS AMENDED TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) This section applies to an  
 41 action in which a final court order requires a person to pay support or  
 42 maintenance payments through the clerk or the state central collection





- 1 unit.
- 2 (b) The clerk or the state central collection unit shall collect ~~a~~ **an**
- 3 **annual support** fee in addition to support and maintenance payments.
- 4 The **annual support** fee is fifty-five dollars (\$55) for each calendar
- 5 year.
- 6 (c) The **annual support** fee required under subsection (b) is due at
- 7 the time that the first support or maintenance payment for the calendar
- 8 year in which the fee must be paid is due.
- 9 (d) The clerk may not deduct the **annual support** fee from a support
- 10 or maintenance payment.
- 11 (e) Except as provided under IC 33-32-4-6 and IC 33-37-7-2(f), if
- 12 ~~a~~ **an annual support** fee is collected under this section by the clerk,
- 13 the clerk shall forward the fee to the county auditor in accordance with
- 14 IC 33-37-7-12(a). If ~~a~~ **an annual support** fee is collected under this
- 15 section by the central collection unit, the fee shall be deposited in the
- 16 state general fund.
- 17 (f) Income payors required to withhold income under IC 31-16-15
- 18 shall pay the annual **support** fee required by subsection (b) through the
- 19 income withholding procedures described in IC 31-16-15.
- 20 SECTION 23. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
- 21 **SECTION, "legislative council" refers to the legislative council**
- 22 **created by IC 2-5-1.1-1.**
- 23 **(b) The legislative council is urged to assign to an appropriate**
- 24 **interim study committee the task of studying topics related to:**
- 25 **(1) the adequacy of the statewide computer system used by the**
- 26 **department of child services to monitor receipt and**
- 27 **disbursement of child support payments; and**
- 28 **(2) the estimated cost to update or replace the statewide**
- 29 **computer system.**
- 30 **(c) This SECTION expires January 1, 2019.**
- 31 SECTION 24. **An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1406, 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:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 4-31-6-11, AS AMENDED BY P.L.103-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) or **IC 31-25-4-34(c)**, the commission shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status:

(2) Explains that unless the person contacts the bureau and:

(A) pays the person's child support arrearage in full;

(B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or

(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed:

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

(A) pay the person's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or



(B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this chapter and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

- (1) States that the person's license has been placed on probationary status.
- (2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.
- (3) Describes the amount of child support that the person is in arrears.
- (4) Explains the procedures to:
  - (A) pay the person's child support arrearage in full; and
  - (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this chapter has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:



- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

**(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this chapter.**

~~(d)~~ (c) The commission may not reinstate a license placed on probation **probationary status** or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.**

SECTION 2. IC 4-33-8.5-3, AS AMENDED BY P.L.103-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) or **IC 31-25-4-34(c)**, the commission shall send to the person who is the subject of the order a notice that does the following:

- (1) States that the person is delinquent and is subject to an order placing the person on probationary status.
- (2) Explains that unless the person contacts the bureau and:
  - (A) pays the person's child support arrearage in full;
  - (B) establishes a payment plan with the bureau to pay the arrearage; which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
  - (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

- (3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

- (4) Explains that the only basis for contesting the bureau's



determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage; which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**place on probationary status any license issued under this article and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:**

**(1) States that the person's license has been placed on probationary status.**

**(2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.**

**(3) Describes the amount of child support that the person is in arrears.**

**(4) Explains the procedures to:**

- (A) pay the person's child support arrearage in full; and**
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this article has been placed on probationary status; beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under



IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

**(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this article.**

(d) (c) The commission may not reinstate a license placed on probation **probationary status** or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.**

SECTION 3. IC 4-35-6.7-2, AS ADDED BY P.L.80-2010, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) **or IC 31-25-4-34(c)**, the commission shall send to the person who is the subject of the order a notice that does the following:

- (1) States that the person is delinquent and is subject to an order placing the person on probationary status.
- (2) Explains that unless the person contacts the bureau and:
  - (A) pays the person's child support arrearage in full;
  - (B) establishes a payment plan with the bureau to pay the



arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or

(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

(A) pay the person's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**place on probationary status any license issued under this article and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:**

**(1) States that the person's license has been placed on probationary status.**

**(2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.**

**(3) Describes the amount of child support that the person is in arrears.**

**(4) Explains the procedures to:**

**(A) pay the person's child support arrearage in full; and**

**(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding**



**order under IC 31-16-15-2 or IC 31-16-15-2.5.**

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this article has been placed on probationary status; beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

**(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this article.**

~~(c)~~ (c) The commission may not reinstate a license placed on probation **probationary status** or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; as required by IC 4-35-4-16.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**





addressed the delinquency."

Delete pages 2 through 7.

Page 8, delete lines 1 through 40.

Page 9, delete lines 7 through 42, begin a new paragraph and insert:  
 "SECTION 5. IC 7.1-3-23-44, AS ADDED BY P.L.80-2010, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 44. (a) As used in this section, "bureau" refers to the child support bureau of the department of child services ~~establish~~ **established** by IC 31-25-3-1.

(b) As used in this section, "delinquent" has the meaning set forth in IC 4-35-2-3.5.

(c) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(k) **or IC 31-25-4-34(f)**, the commission shall send to the person who is the subject of the order a notice that includes the following information:

(1) The person is delinquent and subject to an order placing the person on probationary status:

(2) That unless the person contacts the bureau and:

(A) pays the person's child support arrearage in full;

(B) establishes a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or

(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to a permit issued to the person under IC 7.1-3-18-9(a)(3).

(3) The person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed:

(4) The only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) The procedures to:

(A) pay the person's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(6) The probation will end ten (10) business days after the date that the commission receives a notice from the bureau that the person has:



- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any permit issued under IC 7.1-3-18-9(a)(3) and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

- (1) States that the person's permit has been placed on probationary status.
- (2) States that the person's permit will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.
- (3) Describes the amount of child support that the person is in arrears.
- (4) Explains the procedures to:
  - (A) pay the person's child support arrearage in full; and
  - (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(d) If the commission is advised by the bureau that the obligor either requested a hearing and failed to appear or appeared and was found to be delinquent, the commission shall send to the person who is the subject of the order a notice that states the following:

- (1) That a permit issued to the person under IC 7.1-3-18-9(a)(3) has been placed on probationary status, beginning five (5) business days after the date the notice is mailed, and that the probation will end ten (10) business days after the date that the commission receives a notice from the bureau that the person has:
  - (A) paid the person's child support arrearage in full; or
  - (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.
- (2) That if the commission is advised by the bureau that the person whose permit has been placed on probationary status has failed to:
  - (A) pay the person's child support arrearage in full; or
  - (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;
 within twenty (20) days after the date the notice is mailed, the



commission shall suspend the person's permit.

(e) If a person whose permit has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (c) is mailed, the commission shall suspend the person's permit.

**(d) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (c), the commission shall suspend the permit issued to the person under IC 7.1-3-18-9(a)(3).**

(f) (e) The commission may not reinstate a permit placed on probation **probationary status** or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.**

SECTION 6. IC 9-30-13-7, AS AMENDED BY P.L.217-2014, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) ~~If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent;~~ **Upon receiving an order from the Title IV-D agency under IC 31-25-4-32(b) or IC 31-25-4-33, the bureau shall promptly mail a notice to the obligor (as defined in IC 31-25-4-4) stating the following:**

- (1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:
  - (A) paid the obligor's child support arrearage in full; or
  - (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) that the obligor has addressed the delinquency.**



(2) That the obligor may be granted specialized driving privileges under IC 9-30-16.

**(b) If the bureau has not received notice from the Title IV-D agency under IC 31-25-4-32(m) within eighteen (18) days after the date of the notice in subsection (a), the bureau shall suspend the obligor's driving privileges.**

~~(b)~~ (c) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5;

**under IC 31-25-4-32(m) that the obligor has addressed the delinquency.**

~~(c)~~ (d) An obligor who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

- (1) the obligor's driving privileges are suspended under this section; and
- (2) the obligor has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section.

SECTION 7. IC 14-11-3-4, AS AMENDED BY P.L.123-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) Upon receiving an order from the bureau under IC 31-25-4-32(j) or **IC 31-25-4-34(e)**, the director shall send to the person who is the subject of the order a notice that does the following:

- (1) States that the person is delinquent and is subject to an order placing the person on probationary status;
- (2) Explains that unless the person contacts the bureau and:
  - (A) pays the person's child support arrearage in full; or
  - (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the director shall place the person on probationary status with respect to any license issued to the person under IC 14-22-12; IC 14-22-14; IC 14-22-16; IC 14-22-17; IC 14-22-19; IC 14-24-7; or IC 14-31-3.

- (3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written



application to the bureau within twenty (20) days after the date the notice is mailed:

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact:

(5) Explains the procedures to:

(A) pay the person's child support arrearage in full; or

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5:

(6) Explains that the probation will terminate ten (10) business days after the director receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5:

place on probationary status any license issued under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 and held by the person who is the subject of the order.

The director shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the director has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau under IC 31-25-4-34(e), the director shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the



director receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the director is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the director shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the director shall suspend the person's license.

**(b) If the director has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the director shall suspend the license issued to the person under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.**

**(d) (c) The director may not reinstate a license placed on probationary status or suspended under this section until the director receives a notice from the bureau that the person has:**

- (1) paid the person's child support arrearage in full; or**
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency."**

Delete pages 10 through 14.

Page 15, delete lines 1 through 13.

Page 15, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 10. IC 25-1-1.2-8, AS AMENDED BY P.L.103-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2018]: Sec. 8. (a) The board shall, upon receiving an order from the bureau under IC 31-25-4-32(e) or **IC 31-25-4-34(b)**, send a notice to the practitioner identified by the bureau that includes the following:

- (1) Specifies that the practitioner is delinquent and is subject to an order placing the practitioner on probationary status;
- (2) Describes the amount of child support that the practitioner is in arrears;
- (3) Explains that unless the practitioner contacts the bureau and:
  - (A) pays the practitioner's child support arrearage in full;
  - (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
  - (C) requests a hearing under IC 31-25-4-33;
 within twenty (20) days after the date the notice is mailed; the board shall place the practitioner on probationary status.
- (4) Explains that the practitioner may contest the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.
- (5) Explains that the only basis for contesting the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status is a mistake of fact.
- (6) Explains the procedures to:
  - (A) pay the practitioner's child support arrearage in full;
  - (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
  - (C) request a hearing under IC 31-25-4-33.
- (7) Explains that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the practitioner has:
  - (A) paid the practitioner's child support arrearage in full; or
  - (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**place on probationary status any license issued by the board and held by the person who is the subject of the order. The board shall send the practitioner a notice that does the following:**

- (1) States that the person's license has been placed on



probationary status.

(2) States that the person's license will be suspended if the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) If the board is advised by the bureau that the practitioner either requested a hearing and failed to appear or appeared and was found to be delinquent, the board shall promptly mail a notice to the practitioner who is the subject of the order stating the following:

(1) That the practitioner's license has been placed on probationary status, beginning five (5) business days after the date the notice is mailed, and that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

(A) pay the person's child support arrearage in full; or

(B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license.

(c) If the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

(1) pay the person's child support arrearage in full; or

(2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license.





**(b) If the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the board shall suspend the practitioner's license.**

~~(c)~~ (c) The board may not reinstate a license or permit placed on probation **probationary status** or suspended under this section until the board receives a notice from the bureau ~~that the person has:~~

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the practitioner has addressed the delinquency.**

SECTION 11. IC 27-1-15.6-29, AS AMENDED BY P.L.103-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 29. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(i) **or IC 31-25-4-34(d)**, the commissioner shall send to the person who is the subject of the order a notice that does the following:

- (1) States that the person is delinquent and is subject to an order placing the person on probationary status.
- (2) Explains that unless the person contacts the bureau and:
  - (A) pays the person's child support arrearage in full;
  - (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
  - (C) requests a hearing under IC 31-25-4-33;
 within twenty (20) days after the date the notice is mailed; the commissioner shall place the person on probationary status with respect to a license issued to the person under this chapter.
- (3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.
- (4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.
- (5) Explains the procedures to:
  - (A) pay the person's child support arrearage in full;
  - (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order



under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this article and held by the person who is the subject of the order. The commissioner shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(d), the commissioner shall send a notice to the person who is the subject of the order stating the following:

(1) That a license issued to the person under this chapter has been placed on probationary status, beginning five (5) business days after the date the notice was mailed, and that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commissioner is advised by the bureau that the person whose license has been placed on probationary status has failed to:

(A) pay the person's child support arrearage in full; or



(B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commissioner shall suspend the person's license.

(c) If the commissioner receives a notice by the bureau (Title IV-D agency) under IC 31-25-4-32(i) that the person whose license has been placed on probationary status has failed to:

(1) pay the person's child support arrearage in full; or

(2) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commissioner shall suspend the person's license.

**(b) If the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commissioner shall suspend the license issued to the person under this article.**

(d) (c) The commissioner may not reinstate any license placed on probation **probationary status** or suspended under this section until the commissioner receives a notice from the bureau ~~that the person has:~~

(1) paid the person's child support arrearage in full; or

(2) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.**

SECTION 12. IC 27-10-3-20, AS AMENDED BY P.L.103-2007, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 20. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(i) **or IC 31-25-4-34(d)**, the commissioner shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status.

(2) Explains that unless the person contacts the bureau and:

(A) pays the person's child support arrearage in full;

(B) establishes a payment plan with the bureau to pay the arrearage; which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or

(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the



commissioner shall place the person on probationary status with respect to any license issued to the person under this chapter:

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed:

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact:

(5) Explains the procedures to:

(A) pay the person's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**place on probationary status any license issued under this chapter and held by the person who is the subject of the order. The commissioner shall send the person a notice that does the following:**

**(1) States that the person's license has been placed on probationary status.**

**(2) States that the person's license will be suspended if the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.**

**(3) Describes the amount of child support that the person is in arrears.**

**(4) Explains the procedures to:**

**(A) pay the person's child support arrearage in full; and**

**(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**

**(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(d), the commissioner shall send to the person who**



is the subject of the order a notice that states the following:

(1) That a license issued to the person under this chapter has been placed on probationary status; beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commissioner is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commissioner shall suspend the person's license.

(c) If the commissioner receives a notice from the bureau (Title IV-D agency) under IC 31-25-4-32(i) that the person whose license has been placed on probationary status has failed to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commissioner shall suspend the person's license.

**(b) If the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commissioner shall suspend the license issued to the person under this chapter.**

(d) (c) The commissioner may not reinstate any license placed on probationary status or suspended under this section until the commissioner receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage; which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

**under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency."**

Delete pages 16 through 22.



Page 23, delete lines 1 through 14.  
Page 24, line 28, delete "payment" and insert "payment;".  
Page 24, line 28, delete "from an employer;".  
Page 26, line 3, delete "shall" and insert "**may**".  
Page 30, line 31, strike "IC 25-1-1.2-8(b)." and insert "**IC 25-1-1.2-8.**".  
Page 31, line 27, after "(d)," insert "**(e)**".  
Page 31, line 33, after "(d)," insert "**(e)**".  
Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to HB 1406 as introduced.)

STEUERWALD

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1406 be amended to read as follows:

Page 31, after line 20, begin a new paragraph and insert:

**"SECTION 23. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

**(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying topics related to:**

**(1) the adequacy of the statewide computer system used by the department of child services to monitor receipt and disbursement of child support payments; and**

**(2) the estimated cost to update or replace the statewide computer system.**

**(c) This SECTION expires January 1, 2019.**

**SECTION 24. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1406 as printed January 29, 2018.)

DELANEY

