



February 23, 2018

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# ENGROSSED HOUSE BILL No. 1406

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DIGEST OF HB 1406 (Updated February 21, 2018 12:32 pm - DI 84)

**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

(SENATE SPONSOR — BRAY)

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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.

February 1, 2018, engrossed.

February 5, 2018, read third time, passed. Yeas 92, nays 0.

### SENATE ACTION

February 7, 2018, read first time and referred to Committee on Judiciary.

February 22, 2018, reported favorably — Do Pass.

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EH 1406—LS 6966/DI 125





February 23, 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.

## ENGROSSED HOUSE BILL No. 1406

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.

**EH 1406—LS 6966/DI 125**



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

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

9 (5) Explains the procedures to:

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

11 (B) establish 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; and

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

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

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

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

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

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

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

33 (4) Explains the procedures to:

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

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

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

41 (1) That a license issued to the person under this chapter has been  
 42 placed on probationary status, beginning five (5) business days



1 after the date the notice is mailed; and that the probation will  
 2 terminate ten (10) business days after the commission receives a  
 3 notice from the bureau that the person has:

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

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

- 11 (A) pay the person's child support arrearage in full; or  
 12 (B) establish 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 within twenty (20) days after the date the notice is mailed; the  
 16 commission shall suspend the person's license.

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

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

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

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

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

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

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

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



1 notice that does the following:

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

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

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

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

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

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

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

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

21 (5) Explains the procedures to:

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

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

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

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

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

31 (B) established 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 place on probationary status any license issued under this article  
35 and held by the person who is the subject of the order. The  
36 commission shall send the person a notice that does the following:

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

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



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

3 (4) Explains the procedures to:

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

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

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

- 16 (A) paid the person's child support arrearage in full; or  
17 (B) established 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.

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

- 23 (A) pay the person's child support arrearage in full; or  
24 (B) establish 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 within twenty (20) days after the date the notice is mailed; the  
28 commission shall suspend the person's license.

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

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

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

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

41 (d) (c) The commission may not reinstate a license placed on  
42 probation probationary status or suspended under this section until



1 the commission receives a notice from the bureau that the person has:

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

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

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

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

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

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

18 (B) establishes 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; or

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

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

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

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

33 (5) Explains the procedures to:

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

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; and

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

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

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





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



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

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

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

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

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

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

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

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

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

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

- 39 (1) The person is delinquent and subject to an order placing the  
 40 person on probationary status;  
 41 (2) That unless the person contacts the bureau and:  
 42 (A) pays the person's child support arrearage in full;



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



- 1                   **arrearage, which must include an income withholding**  
 2                   **order under IC 31-16-15-2 or IC 31-16-15-2.5.**
- 3           (d) If the commission is advised by the bureau that the obligor either  
 4 requested a hearing and failed to appear or appeared and was found to  
 5 be delinquent; the commission shall send to the person who is the  
 6 subject of the order a notice that states the following:
- 7           (1) That a permit issued to the person under IC 7.1-3-18-9(a)(3)  
 8 has been placed on probationary status; beginning five (5)  
 9 business days after the date the notice is mailed; and that the  
 10 probation will end ten (10) business days after the date that the  
 11 commission receives a notice from the bureau that the person has:  
 12           (A) paid the person's child support arrearage in full; or  
 13           (B) established a payment plan with the bureau to pay the  
 14 arrearage; which includes an income withholding order under  
 15 IC 31-16-15-2 or IC 31-16-15-2.5;
- 16           (2) That if the commission is advised by the bureau that the  
 17 person whose permit has been placed on probationary status has  
 18 failed to:  
 19           (A) pay the person's child support arrearage in full; or  
 20           (B) establish a payment plan with the bureau to pay the  
 21 arrearage; which includes an income withholding order under  
 22 IC 31-16-15-2 or IC 31-16-15-2.5;  
 23 within twenty (20) days after the date the notice is mailed; the  
 24 commission shall suspend the person's permit.
- 25           (e) If a person whose permit has been placed on probationary status  
 26 fails to:  
 27           (1) pay the person's child support arrearage in full; or  
 28           (2) establish a payment plan with the bureau to pay the arrearage;  
 29 which includes an income withholding order under IC 31-16-15-2  
 30 or IC 31-16-15-2.5;  
 31 within twenty (20) days after the notice required under subsection (c)  
 32 is mailed; the commission shall suspend the person's permit.
- 33           **(d) If the commission has not received notice from the bureau**  
 34 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)**  
 35 **days after the date of the notice in subsection (c), the commission**  
 36 **shall suspend the permit issued to the person under**  
 37 **IC 7.1-3-18-9(a)(3).**
- 38           (†) (e) The commission may not reinstate a permit placed on  
 39 probation **probationary status** or suspended under this section until  
 40 the commission receives a notice from the bureau that the person has:  
 41           (1) paid the person's child support arrearage in full; or  
 42           (2) 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           **under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has**  
 4           **addressed the delinquency.**

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

14           (1) That the obligor's driving privileges are suspended, beginning  
 15           eighteen (18) business days after the date the notice is mailed, and  
 16           that the suspension will terminate after the bureau receives a  
 17           notice from the Title IV-D agency that the obligor has:

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

19           (B) established a payment plan with the Title IV-D agency to  
 20           pay the arrearage, which includes an income withholding order  
 21           under ~~IC 31-16-15-0.5~~ or ~~IC 31-16-15-2.5~~.

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

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

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

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

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

34           (2) established a payment plan with the Title IV-D agency to pay  
 35           the arrearage, which includes an income withholding order under  
 36           ~~IC 31-16-15-0.5~~ or ~~IC 31-16-15-2.5~~.

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

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

41           (1) the obligor's driving privileges are suspended under this  
 42           section; and



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

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

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

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

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

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

16 within twenty (20) days after the date the notice is mailed; the  
 17 director shall place the person on probationary status with respect  
 18 to any 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.

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

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

29 (5) Explains the procedures 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 must include an income withholding order  
 33 under IC 31-16-15-2 or IC 31-16-15-2.5:

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

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

38 (B) 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 place on probationary status any license issued under IC 14-22-12,  
 42 IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or



1 **IC 14-31-3 and held by the person who is the subject of the order.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 or IC 31-16-15-2.5;  
 2 within twenty (20) days after the notice required under subsection (b)  
 3 is mailed; the director shall suspend the person's license.

4 **(b) If the director 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 after**  
 6 **the date of the notice in subsection (a), the director shall suspend**  
 7 **the license issued to the person under IC 14-22-12, IC 14-22-14,**  
 8 **IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.**

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

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

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

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

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

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

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

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

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





1 SECTION 10. IC 25-1-1.2-8, AS AMENDED BY P.L.103-2007,  
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2018]: Sec. 8. (a) The board shall, upon receiving an order  
 4 from the bureau under IC 31-25-4-32(e) or **IC 31-25-4-34(b)**, send a  
 5 notice to the practitioner identified by the bureau that includes the  
 6 following:

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

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

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

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

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

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

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

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

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

28 (6) Explains the procedures to:

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

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; and

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

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

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

38 (B) 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 **place on probationary status any license issued by the board and**  
 42 **held by the person who is the subject of the order. The board shall**



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

19 (1) That the practitioner's license has been placed on probationary  
20 status, beginning five (5) business days after the date the notice  
21 is mailed; and that the probation will terminate ten (10) business  
22 days after the board receives a notice from the bureau that the  
23 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 board is advised by the bureau that the practitioner  
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 board shall suspend the practitioner's license.

37 (c) If the board is advised by the bureau that the practitioner whose  
38 license has been placed on probationary status has failed 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 date the notice is mailed; the board  
2 shall suspend the practitioner's license.

3 **(b) If the board 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 board shall suspend the**  
6 **practitioner's license.**

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

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

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

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

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

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

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

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

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

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

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

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

41 (5) Explains the procedures to:

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



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



1 failed to:

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

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

4 arrearage, which includes an income withholding order under

5 IC 31-16-15-2 or IC 31-16-15-2.5;

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

7 commissioner shall suspend the person's license.

8 (e) If the commissioner receives a notice by the bureau (Title IV-D

9 agency) under IC 31-25-4-32(i) that the person whose license has been

10 placed on probationary status has failed to:

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

12 (2) establish a payment plan with the bureau to pay the arrearage;

13 which includes an income withholding order under IC 31-16-15-2

14 or IC 31-16-15-2.5;

15 within twenty (20) days after the notice required under subsection (b)

16 is mailed; the commissioner shall suspend the person's license.

17 **(b) If the commissioner has not received notice from the bureau**

18 **under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20)**

19 **days after the date of the notice in subsection (a), the commissioner**

20 **shall suspend the license issued to the person under this article.**

21 ~~(d)~~ (c) The commissioner may not reinstate any license placed on

22 **probation probationary status** or suspended under this section until

23 the commissioner receives a notice from the bureau that the person has:

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

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

29 **addressed the delinquency.**

30 SECTION 12. IC 27-10-3-20, AS AMENDED BY P.L.103-2007,

31 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

32 JULY 1, 2018]: Sec. 20. (a) Upon receiving an order from the bureau

33 (Title IV-D agency) under IC 31-25-4-32(i) or **IC 31-25-4-34(d)**, the

34 commissioner shall send to the person who is the subject of the order

35 a notice that does the following:

36 (1) States that the person is delinquent and is subject to an order

37 placing the person on probationary status.

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

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

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

41 arrearage, which must include an income withholding order

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



1           (C) requests a hearing under IC 31-25-4-33;  
2           within twenty (20) days after the date the notice is mailed; the  
3           commissioner shall place the person on probationary status with  
4           respect to any license issued to the person under this chapter.

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

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

13          (5) Explains the procedures to:

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

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

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

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

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

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

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

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

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

38               (4) Explains the procedures to:

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

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



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

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

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

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

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

17 (B) establish 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;

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

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

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

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

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

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

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

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

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

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



1 **addressed the delinquency.**

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

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

22 SECTION 14. IC 31-16-9-1, AS AMENDED BY P.L.207-2013,  
23 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2018]: Sec. 1. (a) This subsection applies before January 1,  
25 2007. Upon entering an order for support in:

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

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

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

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

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





1 (c) ~~Beginning January 1, 2007, The clerk of the circuit court may~~  
 2 **only accept** child support payments that are paid in cash, ~~must be paid~~  
 3 ~~to a clerk of the circuit court,~~ and all noncash **child support** payments  
 4 must be paid to the state central collection unit established within the  
 5 child support bureau by IC 31-25-3-1.

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

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

- 10 (A) severance pay;  
 11 (B) accumulated sick pay;  
 12 (C) vacation pay;  
 13 (D) accumulated commissions;  
 14 (E) a bonus payment in addition to regular earned income; or  
 15 (F) other lump sum payment; and

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

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

- 21 ~~(1) the amount of support the obligor is required to pay each~~  
 22 ~~week; by~~  
 23 ~~(2) the number of weeks represented by the lump sum payment.~~

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

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

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

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

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



1 SECTION 17. IC 31-25-4-8, AS ADDED BY P.L.145-2006,  
 2 SECTION 271, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2018]: Sec. 8. In addition to the duties imposed  
 4 by section 7 of this chapter, the bureau shall do the following:

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

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

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

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

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

24 (3) (2) Reimburse the department of workforce development for  
 25 the administrative costs incurred by the department under  
 26 IC 22-4-39.

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

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

39 (1) Specifies that the obligor is delinquent.

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

42 (3) States that unless the obligor:



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



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



- 1 (3) verified address; and  
 2 (4) Social Security number or driving license number;  
 3 of the obligor to the bureau of motor vehicles.
- 4 (e) Whenever the Title IV-D agency finds that an obligor who is an  
 5 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in  
 6 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed  
 7 to:
- 8 (1) pay the obligor's child support arrearage in full;  
 9 (2) establish a payment plan with the Title IV-D agency 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; or  
 12 (3) request a hearing under section 33 of this chapter;  
 13 the Title IV-D agency shall issue an order to the board regulating the  
 14 practice of the obligor's profession or occupation stating that the  
 15 obligor is delinquent.
- 16 (f) An order issued under subsection (e) must direct the board or  
 17 department regulating the obligor's profession or occupation to impose  
 18 the appropriate sanctions described under IC 25-1-1.2.
- 19 (g) Whenever the Title IV-D agency finds that an obligor who is an  
 20 attorney or a licensed teacher is delinquent and the attorney or licensed  
 21 teacher has failed to:
- 22 (1) pay the obligor's child support arrearage in full;  
 23 (2) establish a payment plan with the Title IV-D agency 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; or  
 26 (3) request a hearing under section 33 of this chapter;  
 27 the Title IV-D agency shall notify the supreme court disciplinary  
 28 commission if the obligor is an attorney, or the department of education  
 29 if the obligor is a licensed teacher, that the obligor is delinquent.
- 30 (h) Whenever the Title IV-D agency finds that an obligor who holds  
 31 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:
- 32 (1) pay the obligor's child support arrearage in full;  
 33 (2) establish a payment plan with the Title IV-D agency to pay the  
 34 arrearage, which includes an income withholding order under  
 35 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 36 (3) request a hearing under section 33 of this chapter;  
 37 the Title IV-D agency shall issue an order to the Indiana horse racing  
 38 commission if the obligor holds a license issued under IC 4-31-6, or to  
 39 the Indiana gaming commission if the obligor holds a license issued  
 40 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and  
 41 directing the commission to impose the appropriate sanctions described  
 42 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.



1 (i) Whenever the Title IV-D agency finds that an obligor who holds  
 2 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has  
 3 failed to:

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

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

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

- 17 (1) pay the obligor's child support arrearage in full;  
 18 (2) establish a payment plan with the Title IV-D agency 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; or  
 21 (3) request a hearing under section 33 of this chapter;

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

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

- 29 (1) pay the obligor's child support arrearage in full;  
 30 (2) establish a payment plan with the Title IV-D agency 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; or  
 33 (3) request a hearing under section 33 of this chapter;

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

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

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



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

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

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

- 16           (1) stating that the obligor is delinquent; and  
 17           (2) requiring the board to comply with the actions required under  
 18           ~~IC 25-1-1.2-8(b)~~; **IC 25-1-1.2-8.**

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

- 23           (1) Indiana horse racing commission, if the obligor holds a license  
 24           issued under IC 4-31-6; or  
 25           (2) Indiana gaming commission, if the obligor holds a license  
 26           issued under IC 4-33 or IC 4-35;

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

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

- 35           (1) stating that the obligor is delinquent; and  
 36           (2) requiring the commissioner to comply with the actions  
 37           required under IC 27-1-15.6-29 or IC 27-10-3-20.

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



1 of the department of natural resources:  
 2 (1) stating that the obligor is delinquent; and  
 3 (2) requiring the director to suspend or revoke a license issued by  
 4 the department as provided in IC 14-11-3.  
 5 (f) If an obligor:  
 6 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);  
 7 and  
 8 (2) requests a hearing under section 33 of this chapter but fails to  
 9 appear or appears and is found to be delinquent;  
 10 the Title IV-D agency shall issue an order to the alcohol and tobacco  
 11 commission stating that the obligor is delinquent and requiring the  
 12 commission to impose the appropriate sanctions under IC 7.1-3-23-44.  
 13 **(g) When an obligor who was the subject of an order issued by**  
 14 **the Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:**  
 15 **(1) paid the obligor's child support arrearage in full; or**  
 16 **(2) established a payment plan with the Title IV-D agency to**  
 17 **pay the arrearage, which includes an income withholding**  
 18 **order under IC 31-16-15-2 or IC 31-16-15-2.5;**  
 19 **the Title IV-D agency shall provide notice to the appropriate entity**  
 20 **under subsection (b), (c), (d), (e), or (f) that the obligor has**  
 21 **addressed the delinquency.**  
 22 SECTION 21. IC 31-34-15-6, AS AMENDED BY P.L.128-2012,  
 23 SECTION 162, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) This section applies whenever  
 25 a child who was born out of wedlock is:  
 26 (1) or is alleged to be a child in need of services; and  
 27 (2) under the supervision of the department or a local office as a  
 28 result of a court ordered out-of-home placement.  
 29 (b) The department or the local office ~~shall~~ **may** refer a child's case  
 30 to the local prosecuting attorney's office for the filing of a paternity  
 31 action if the:  
 32 (1) identity of the alleged father is known; and  
 33 (2) department or the local office reasonably believes that  
 34 establishing the paternity of the child would be beneficial to the  
 35 child.  
 36 The local prosecuting attorney's office shall file a paternity action  
 37 regarding each case that is referred under this subsection. ~~The~~  
 38 ~~department shall sign the paternity petition as the child's next friend.~~  
 39 SECTION 22. IC 33-37-5-6, AS AMENDED BY P.L.128-2012,  
 40 SECTION 181, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) This section applies to an  
 42 action in which a final court order requires a person to pay support or





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



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1406 as reprinted February 1, 2018.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0

