

I. Priority Legislation

HB1276 Domestic violence, bullying, and sending of sexual material. (Blanton) Requires the sentencing policy study committee to study and make recommendations regarding the sending of sexually suggestive or sexually explicit material over the Internet or by use of a cell phone or similar device. **Requires school corporations to provide instruction or programs regarding domestic violence.** Amends the definition of "bullying" to include communications transmitted from an electronic communications device or through a social networking web site. Requires a person convicted of domestic battery to complete a batterers' intervention program. Provides that a court may require a person convicted of domestic battery to have only supervised visitation with the person's child. Provides that a court may appoint a court appointed special advocate or a guardian ad litem to facilitate the supervised visitation. Provides that a court may require a person charged with domestic violence to wear a GPS tracking device as a condition of bail.

Increases the time a facility is required to have custody of a person arrested for domestic violence to 24 hours. Requires each postsecondary educational institution to adopt policies regarding student notification of dangerous situations on and off campus. Requires the criminal justice institute to establish and administer a program to collect information regarding domestic violence that occurs in Indiana and to report it to the National Incident-Based Reporting System within the Federal Bureau of Investigation. Provides that 211 telephone services shall include assistance with parental stress issues. **Provides an exception to the human immunodeficiency virus (HIV) testing consent statute. Provides that if a victim of certain crimes requests that a defendant be tested for HIV, the defendant must be tested.** Requires the division of state court administration to annually report to the commission on courts regarding: (1) the implementation of the judicial technology and automation project (JTAP); and (2) statistics compiled by JTAP regarding the number of dissolution of marriage decrees in Indiana entered in the previous year.

01/26/2010 H: Committee Action Pass Amend(8-2) Judiciary

01/28/2010 H: Committee Report amend do pass, adopted

***Note: Bill contains language needed to comply with federal requirements for funding, as follows:**

HIV language in HB 1276 to correct non-compliance with federal law: SECTION 6. IC 16-41-8-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) If an indictment or information alleges that the defendant compelled another person to engage in sexual activity by force or threat of force, the alleged victim of the offense described in the indictment or information may request that the defendant against whom the indictment or information is filed be tested for the human immunodeficiency virus (HIV).

(b) Not later than forty-eight (48) hours after an alleged victim described in subsection (a) requests that the defendant be tested for the human immunodeficiency virus (HIV), the defendant must be tested for the human immunodeficiency virus (HIV).

(c) As soon as practicable, the results of a test for the human immunodeficiency virus (HIV) conducted under subsection (b) shall be sent to:

- (1) the alleged victim;
- (2) the parent or guardian of the alleged victim, if the alleged victim is less than eighteen (18) years of age; and
- (3) the defendant.

(d) If follow-up testing of the defendant for the human immunodeficiency virus (HIV) is necessary, the results of follow-up testing of the defendant shall be sent to:

- (1) the alleged victim;
- (2) the parent or guardian of the alleged victim if the alleged victim is less than eighteen (18) years of age; and
- (3) the defendant.

SB0316 Dating violence policy and education. (Rogers, Kruse) Requires the department of education to develop guidelines for use in professional development activities concerning dating violence. Does not require schools to use any dating violence or health relationship curriculum.

01/27/2010 S: Committee Action Pass Amend(8-1) Education and Career Development

01/28/2010 S: Committee Report amend do pass, adopted

Note: Bill was gutted by Committee Chair in hearing at request of Dept. of Education. Assessing options.

HB1065 Various provisions concerning firearms. (Bischoff, Nugent) Prohibits a person, including an individual, a corporation, and a governmental entity, from adopting or enforcing a policy or rule that prohibits or has the effect of prohibiting an individual from legally possessing a firearm that is locked in the individual's vehicle while the vehicle is in or on the person's property. Excepts possession of a firearm: (1) on school property, on property used by a school for a school function, or on a school bus; (2) on certain child care and shelter facility property; (3) on penal facility property; (4) in violation of federal law; (5) on property belonging to an approved postsecondary educational institution; (6) at a person's residence; **(7) on the property of a domestic violence shelter;** and (8) on the property of an entity subject to the United States Department of Homeland Security's Chemical Facility Anti-Terrorism Standards or the Maritime Transportation Security Act. Provides that a court does not have jurisdiction over an action that: (1) is brought against an employer who is in compliance with the prohibition against adoption or enforcement of a policy or rule that prohibits the possession of a firearm in a locked vehicle; and (2) is brought to recover for any injury or damage resulting from the employer's compliance. Authorizes a civil action for damages, costs, attorney's fees, and injunctive relief to remedy a violation. Prohibits the state, a political subdivision, or any other person from prohibiting or restricting the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during a declared disaster emergency, energy emergency, or local disaster emergency, subject to exceptions that apply to the prohibition against adoption or enforcement of a policy or rule that prohibits the possession of a firearm in a locked vehicle. Repeals provisions that allow certain political subdivisions to adopt emergency ordinances to regulate firearms if a local disaster emergency has been declared. Deletes an outdated reference.

01/20/2010 H: Committee Action Pass Amend(10-1) Natural Resources

01/21/2010 H: Committee Report amend do pass, adopted

01/25/2010 H: 2nd Reading Amended Order Engrossed

01/25/2010 H: Amendment #2 (Cheatham), prevailed; Voice Vote

01/25/2010 H: Amendment #1 (C. Brown), prevailed; Voice Vote (Exemption of child care centers.)

01/26/2010 H: 3rd Reading Pass (76-21)

01/26/2010 H: Sponsor Added Johnny Nugent

SB0025 Firearms in locked vehicles. (Nugent, Bischoff) Prohibits a person (which includes an individual, a corporation, and a governmental entity) from adopting or enforcing a policy or rule that prohibits or has the effect of prohibiting an employee of the person (including a contract employee) from legally possessing a firearm that is locked in the employee's vehicle while the vehicle is in or on the person's property. Excepts possession of a firearm: (1) on school property, on property used by a school for a school function, or on a school bus; (2) on certain child care and shelter facility property; (3) on penal facility property; (4) in violation of federal law; (5) on property belonging to an approved postsecondary educational institution; **(6) on property belonging to a domestic violence shelter;** and (7) at a person's residence. Provides that a person who, in compliance with the prohibition, does not adopt or enforce such a policy or rule is not liable for resulting injury or damage. Authorizes a civil action for damages, costs, attorney's fees, and injunctive relief to remedy a violation. Deletes an outdated reference.

01/25/2010 S: 3rd Reading Pass (41-9)

01/25/2010 S: Sponsor Added Robert J. Bischoff, Blanton

***Note: Bills will pass although unilaterally opposed by business and human services groups (including dv). Exemption was added in both bills for dv shelters and private residences. House bill contains exemption for child care centers. Still trying to expand dv shelter exemption to all dv programs.**

SB0178 Custody and parenting time matters. (Steele, Mishler, Taylor) Provides that if a paternity affidavit is executed, the mother and the man who is identified as the father share joint legal custody of the child, the mother has primary physical custody of the child, and the man who is identified as the father has parenting time in accordance with the parenting time guidelines unless another determination is made by a court. (Current law provides that a mother has sole custody unless another custody determination is made by a court.) Provides that a noncustodial parent is entitled to reasonable parenting time rights unless a court finds by clear and convincing

evidence that parenting time might endanger the child's physical health or significantly impair the child's emotional development.

(This changes the standard of proof under the current law.) Provides that a paternity affidavit executed through a hospital may be completed not more than ten days after the child's birth if a parent is out of the country.

01/14/2010 S: Committee Report amend do pass, adopted

01/19/2010 S: 2nd Reading Order Engrossed

01/21/2010 S: 2nd Reading Return to 2nd Reading

***Note: Pending a substantial second reading amendment. Possible that bill will not be called down for further reading.**

SB0213 Unauthorized aliens. (Kruse, Delph, Boots) Requires the department of correction to:

(1) evaluate the citizenship and immigration status of a committed offender; and (2) notify and assist the United States Department of Homeland Security under certain conditions. Provides that the fact that a defendant is a foreign national not lawfully admitted to the United States is a fact relevant to the risk of nonappearance a judicial officer must consider in setting bail. Requires a sheriff to make a reasonable effort to determine the citizenship or immigration status of certain persons confined in a county jail. Prohibits a governmental body from enacting an ordinance, resolution, rule, or policy that prohibits or limits another governmental body from sending, receiving, maintaining, or exchanging information on the citizenship or immigration status of an individual. Allows a person to bring an action to compel a governmental body to comply with the prohibition. Requires the department of workforce development to verify through the Systematic Alien Verification for Entitlements (SAVE) program the lawful presence

of certain individuals who apply for unemployment benefits. Requires a state agency or political subdivision to verify employees through the E-Verify program. Prohibits a state agency or political subdivision from entering into or renewing a public contract for services with a contractor unless the contract requires the contractor to verify employees through the E-Verify program. Provides that: (1) a state agency or political subdivision may terminate a public contract for services under certain conditions regarding the knowing employment or retention of unauthorized aliens; and (2) if a public contract for services is terminated, a contractor is liable for actual damages. Allows a contractor of a public contract for services to terminate a contract with a subcontractor if the subcontractor employs or contracts with unauthorized aliens. Makes it, except in certain circumstances, a: (1) Class C infraction for a person

to knowingly or intentionally offer in writing, accept, or record a consular identification for any public purpose; or (2) Class C infraction for a person to knowingly or intentionally offer in writing, accept, or record an individual taxpayer identification number as a valid form of identification for any public or private purpose. Increases penalties for certain crimes. Establishes additional penalties for certain crimes. Makes making a false identity statement a Class A misdemeanor. **Makes it a:**

(1) Class A misdemeanor to knowingly or intentionally transport or move; and

(2) Class A misdemeanor to knowingly or intentionally conceal, harbor, or shield from detection; an alien, for purposes of commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law.

01/26/2010 S: Committee Action Pass Amend(12-0) Appropriations

01/28/2010 S: Committee Report amend do pass, adopted

***Note: Although an exemption to above-bolded language for providers of services to domestic violence, sexual assault, human trafficking or stalking has been repeatedly requested of Senate authors, none has yet been added.**

SB0222 Technical corrections. (Holdman, Bartlett) (*Note: Should correct conflict between order of protection provisions.) Resolves:

(1) conflicts between differing 2009 amendments to Indiana Code sections; and

(2) other technical problems in the Indiana Code, including incorrect statutory references, the presence in the Code of provisions that have expired by their own terms, nonstandard tabulation, the presence in the Code of references to sections that have been or are being repealed, grammatical problems, the absence of words needed for sense, and misspellings. Repeals certain sections of the Indiana Code that:

(1) have expired by their own terms;

(2) define certain terms for the purposes of other statutes that were previously repealed;

(3) have no purpose apart from their relation to other statutes that have been repealed;

(4) are repealed to resolve a conflict involving the enactment of different text at the same location in the Indiana Code; or

(5) are repealed to correct errors concerning the alphabetical order of definitional provisions. (The introduced version of this bill was prepared by the code revision commission.)

01/28/2010 S: 3rd Reading Pass (48-0)

01/28/2010 S: Sponsor Added John Bartlett, 01/28/2010 S: Co Sponsor Added Ralph M. Foley

SB0163 Various child support matters. (Bray, Zakas, L. Lawson) **(*Note: Added provisions to allow address from AG confidentiality program to be used in many sections, and working on TANF language to ensure DV exemptions are clear.)** Requires persons who own or operate a river boat licensed as a gambling operation or a horse racetrack licensed for gambling games to:

(1) withhold cash winnings of obligors for amounts the obligors are delinquent in child support; and (2) deduct and retain an administrative fee in relation to withholding the obligor's delinquent child support. Requires the: (1) gaming commission to place on probationary status, suspend, and deny licenses for gambling games at horse racetracks; and (2) the alcohol and tobacco commission to place on probationary status, suspend, and deny employee's permits; of certain obligors who are delinquent in child support. Provides that a person whose driving license is suspended because of delinquent child support is not required to pay a reinstatement fee to have the person's driving license reinstated. Provides that the child support bureau (bureau) and certain contractors of the bureau may be granted access to information in certain state systems and in certain records of state agencies and other entities, subject to policies adopted to prevent disclosure of certain law enforcement information. Requires a court to immediately withhold income under a child support order established in any proceeding. Provides that a recipient or applicant of the Temporary Assistance for Needy Families program who refuses to cooperate in:

(1) a paternity action; or

(2) the establishment or enforcement of a child support order; is subject to sanctions or revocation or suspension of assistance. Requires a guardian or custodian of a child to generally cooperate with the bureau and certain other agencies regarding certain paternity and child support matters. Requires a custodial parent and noncustodial parent to provide certain information to the clerk of the court. Provides that a court may consider a child emancipated if the child is on active duty in the United States armed forces. (Current law provides that a court may consider a child emancipated if the child has joined the United States armed forces). Provides that the income withholding provisions apply to any proceeding in which child support is established. Requires an employer to transfer the National Medical Support Notice to the employer's health insurance plan within 20 days after the date of the National Medical Support Notice. Requires an income withholding order form to contain certain information. Provides that an income payor may not distribute income in a manner that would result in one of the current child support obligations not being honored. Provides that an income payor is not required to vary the income payor's normal pay and distribution cycles in order to comply with the income withholding provisions. Requires that a court or administrative agency deem due process met if certain requirements have been met. Provides that various persons are immune from civil and criminal liability for certain acts or for failures to act. Prohibits a person from disclaiming an interest in property up to the extent of the person's child support arrearage. Prohibits a court from considering a parent's absence or relocation due to active military duty as a factor in determining custody or permanently modifying a child custody order. Makes a technical correction.

01/28/2010 S: 3rd Reading Pass (48-0)

01/28/2010 S: Sponsor Added Linda Lawson, Ralph M. Foley

II. Other Domestic Violence Bills

HB1073 Termination of residential leases. (Fry) Provides that a tenant leasing a dwelling may terminate a lease agreement if the tenant is the victim of certain crimes committed in the tenant's unit. Provides that the lease may be terminated through procedures established under the statute providing for court issuance of emergency possessory orders for residential rental units. Establishes the criteria for the court to consider for termination of the tenant's lease agreement.

1/20/2010 H: Committee Action Pass Amend(12-0) Public Policy

1/25/2010 H: 2nd Reading Amended Order Engrossed

01/25/2010 H: Amendment #1 (Turner), prevailed; (49-46)

HB1234 No contact orders. (Reske, Becker, Lanane) Requires a court to include as a condition of bail the requirement that a defendant charged with a violent crime refrain from any direct or indirect contact with the victim if the defendant is released to bail without the court having held a bail hearing in open court.

01/19/2010 H: Committee Action Pass(7-1) Judiciary

01/20/2010 H: Committee Report do pass, adopted

01/25/2010 H: 2nd Reading Order Engrossed

01/25/2010 H: Amendment #1 (Foley), failed; (45-48)

01/26/2010 H: 3rd Reading Pass (90-5)

01/26/2010 H: Sponsor Added Vaneta Becker, Tim Lanane

HB1258 Animal regulation. (L. Lawson) Requires a retail pet store to provide each person who purchases a dog or cat with a written sales disclosure form describing the animal's history, and requires the retail pet store to transmit a copy of the sales disclosure form to the board of animal health. Provides that a pet store must post certain information concerning the animal's history on the animal's cage. Makes the failure to provide a sales disclosure form or the failure to post information on the animal's cage a Class C infraction. Makes promoting an animal fighting contest a predicate offense under the racketeering statute. Makes attending an animal fighting contest a Class D felony. Repeals an inconsistent animal fighting contest provision. Requires a person having care or custody of an equine to provide the equine with access to shelter providing protection from weather extremes and that is free from standing water, and makes the failure to provide an equine with access to appropriate shelter a Class B infraction for the first offense, and a Class A infraction for subsequent offenses.

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01/27/2010 H: Committee Action Pass Amend(11-0) Courts and Criminal Code

01/28/2010 H: Committee Report amend do pass, adopted

HB1068 Access to handgun license information. (Welch, Steele, Deig, Walker) Provides that, for purposes of the law concerning access to public records:

- (1) information submitted by a person to obtain or renew a license to carry a handgun;
- (2) information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to obtain or renew a license to carry a handgun; and
- (3) the name, address, and any other information that may be used to identify a person who holds a license to carry a handgun; is confidential, may not be published, and is not open to public inspection. Specifies that:
 - (1) any information concerning an applicant for or a person who holds a license to carry a handgun may be released to a federal, state, or local government entity for law enforcement purposes or to determine the validity of a license to carry a handgun; or
 - (2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun has been removed from the general information. Provides that the period during which an application for the renewal of an existing handgun license may be filed begins 365 days (instead of 180 days) before the date the license expires.

01/26/2010 H: 3rd Reading Pass (85-11)

01/26/2010 H: Sponsor Added Brent Steele

01/26/2010 H: Sponsor Added Greg Walker

01/26/2010 H: Sponsor Added Robert J. Deig

01/26/2010 H: Co Sponsor Added James A. Lewis

Bills not moving:

HB1007 Domestic battery. (Duncan) Increases the penalties for domestic battery. Makes a technical correction.

01/05/2010 H: Co Author Added Linda Lawson

01/05/2010 H: 1st Reading Assigned Courts and Criminal Code

HB1301 Murder sentencing and sentence enhancements. (Thompson) Makes committing a murder in the physical presence of a person who:

- (1) is less than 16 years of age; and
- (2) might be able to see or hear the murder; an aggravating circumstance that may be considered during the sentencing hearing for the murder. Allows a court to sentence a person to an additional fixed term of imprisonment that:
 - (1) is not less than the advisory sentence for the underlying offense nor more than three times the advisory sentence for the underlying offense; and
 - (2) does not exceed 30 years; if the person knowingly or intentionally committed certain offenses in the physical presence of a person less than 16 years of age who might be able to see or hear the offense. Allows a court to sentence a person to an additional fixed term of imprisonment of ten years if the person knowingly or intentionally violated a protective order in the commission of certain offenses.

01/13/2010 H: Author Added Jeffrey Thompson, Linda Lawson

01/13/2010 H: 1st Reading Assigned Courts and Criminal Code

SB0060 Judicial computer systems commission. (Steele) Creates the judicial computer systems commission to evaluate court and law enforcement computer systems and the judicial technology and automation project. (The introduced version of this bill was prepared by the sentencing policy study committee.)

01/05/2010 S: 1st Reading Assigned Corrections, Criminal, and Civil Matters

SB0078 Next of kin control of bodies. (Deig) Prohibits certain persons from making certain determinations concerning the remains of a decedent if the decedent appears to have died as the result of murder, voluntary manslaughter, or another criminal act and the decedent had filed a protection order against the person.

01/05/2010 S: 1st Reading Assigned Corrections, Criminal, and Civil Matters

SB0406 Relationship education; dating violence policies. (Rogers) Requires school corporations and nonpublic schools to:

- (1) provide age appropriate education concerning healthy relationships to students in kindergarten through grade 12;
- (2) develop a dating violence response policy; and
- (3) provide training to staff concerning healthy relationship education and dating violence response policies.

01/14/2010 S: 1st Reading Assigned Education and Career Development

III. Other Family Law

HB1047 Change of name requirements. (Cheatham) Requires that a petition for a change of name must:

- (1) include certain information for persons at least 17 years of age;
- (2) be subscribed and sworn to (or affirmed) under the penalties of perjury and before a notary public or other person authorized to administer oaths; and
- (3) be filed with the circuit court of the county in which the person resides. Specifies that a petition for a change of name for a person at least 17 years of age must include:
 - (1) the person's date of birth;
 - (2) the person's current residence address and, if different, mailing address;
 - (3) the person's valid Indiana driver's license or identification card number;
 - (4) a list of all previous names used by the person;
 - (5) proof that the person is a United States citizen;
 - (6) a statement concerning whether the person holds a valid United States passport; and (7) a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that have been entered against the person.

01/25/2010 H: Committee Sched 10:00 AM Room 156 D Judiciary

01/25/2010 H: Committee Action Pass(9-0) Judiciary

01/26/2010 H: Committee Report do pass, adopted

HB1055 Grandparent and great-grandparent visitation. (Stilwell, R. Young, Steele) Allows great-grandparents to seek visitation rights with their great-grandchildren in certain circumstances. Allows a grandparent or great-grandparent to seek visitation if the grandparent or great-grandparent has had meaningful contact with the child but, as a result of an estrangement between the parent of the child and the grandparent or great-grandparent, the parent of the child terminated the child's visits with the grandparent or great-grandparent. Establishes factors for the court to consider in determining whether granting a grandparent or great-grandparent visitation rights is in the best interests of the child. Provides that a court may order a party to an action for grandparent or great-grandparent visitation to pay a reasonable amount for the cost to the other party of maintaining or defending the action, including costs for attorney's fees and mediation. Specifies that certain agencies are not required to pay costs. Makes conforming changes.

01/28/2010 H: 3rd Reading Pass (63-33)

01/28/2010 H: Sponsor Added Richard D. Young, Jr., Brent Steele

SB0059 Grandparent and great-grandparent visitation. (Steele, Stilwell) Allows great-grandparents to seek visitation rights with their great-grandchildren in certain circumstances. Allows a grandparent or great-grandparent to seek visitation if the grandparent or great-grandparent has had meaningful contact with the child but, as a result of an estrangement between the parent of the child and the grandparent or great-grandparent, the parent of the child terminated the child's visits with the grandparent or great-grandparent. Establishes factors for the court to consider in determining whether granting a grandparent or great-grandparent visitation rights is in the best interests

of the child. Provides that a court may order a party to an action for grandparent or great-grandparent visitation to pay a reasonable amount for the cost to the other party of maintaining or defending the action, including costs for attorney's fees and mediation. Specifies that certain agencies are not required to pay costs. Makes conforming changes. (The introduced version of this bill was prepared by the child custody and support advisory committee.)

01/25/2010 S: 3rd Reading Pass (44-6); H. Sponsor: Stillwell

Not moving:

HB1311 Court information on domestic relations cases. (Noe) Requires that, in the Indiana judicial reports, information concerning domestic relations cases be separated into: (1) actions for dissolution of marriage; (2) actions for legal separation; and (3) petitions to establish child support; and that information be provided for each of the categories.

01/13/2010 H: 1st Reading Assigned Judiciary

HB1314 Paternity affidavits. (Foley) Provides that a paternity affidavit executed before or after the birth of a child who is born out of wedlock must include: (1) a statement by the mother that the person she has named as the father of the child is the only person who could possibly be the father and that she understands that she has committed fraud if a man other than the named man is the biological father; (2) a statement by the person named as the father that he has reviewed the mother's statements and that he understands that the paternity affidavit may not be rescinded more than 60 days after the paternity affidavit is executed; and (3) a sworn statement that includes an affirmation under the penalties of perjury that the representations in the paternity affidavit are true.

01/13/2010 H: Co Author Added Trent Van Haften

01/13/2010 H: 1st Reading Assigned Family, Children and Human Affairs

HB1356 Duty to support a child. (Steuerwald) Provides that the duty to support a child ceases when the child becomes 19 years of age. (Current law provides that the duty to support a child ceases when the child becomes 21 years of age.)

01/13/2010 H: 1st Reading Assigned Family, Children and Human Affairs

SB0060 Judicial computer systems commission. (Steele) Creates the judicial computer systems commission to evaluate court and law enforcement computer systems and the judicial technology and automation project. (The introduced version of this bill was prepared by the sentencing policy study committee.)

01/05/2010 S: 1st Reading Assigned Corrections, Criminal, and Civil Matters

SB0061 Rescission of paternity affidavit. (Steele) Provides that evidence that a man is excluded as the biological father of a child based on a genetic test that indicates that the man is not the child's biological father constitutes a material mistake of fact that existed in the execution of the paternity affidavit. (The introduced version of this bill was prepared by the child custody and support advisory committee.)

01/05/2010 S: 1st Reading Assigned Judiciary

SB0070 Adoption and paternity proceeding. (Boots) Requires a petition to establish the paternity of a child who is the subject of an adoption proceeding to be filed in the court having jurisdiction over the adoption proceeding.

Provides that a person contesting an adoption must file either a motion to contest the adoption or a petition to establish paternity.

01/05/2010 S: 1st Reading Assigned Judiciary

SB0085 Disclaimer of property to avoid child support. (Brodén) Prohibits a person from disclaiming an interest in property if the person is delinquent in the payment of child support.

01/05/2010 S: 1st Reading Assigned Judiciary

SB0086 Petition for change of name of a minor child. (Brodén) Removes a provision that requires a parent or guardian of a minor child who wishes to change the name of the minor child to publish the first notice of the petition for the name change not more than seven days after the date the petition is filed.

01/05/2010 S: 1st Reading Assigned Judiciary

SB0099 Grandparent visitation. (Waterman) Provides that a child's grandparent may seek visitation rights when a parent or guardian of the child unreasonably denies or restricts visitation. Eliminates conditions in current law under which a grandparent is authorized to seek visitation rights. Specifies the court in which a grandparent seeking visitation rights may file a petition.

01/05/2010 S: 1st Reading Assigned Judiciary

SB0124 Corporal punishment by parents. (Randolph) Specifies that a parent or guardian of a child has legal authority to:

- (1) apply reasonable force to a child; or
- (2) impose reasonable confinement on a child; if the parent or guardian believes that the reasonable force or confinement is necessary for the proper control, training, or education of the child. Provides that the following factors are relevant in determining whether force or confinement is reasonable:
 - (1) The age of the child.
 - (2) The sex of the child.
 - (3) The physical and mental condition of the child.
 - (4) The nature of the child's misbehavior and the child's motive for the misbehavior.
 - (5) The influence that the child's example may have on other children of the same family or group.
 - (6) Whether the force or confinement is reasonably necessary and appropriate to compel obedience to a proper command.
 - (7) Whether the force or confinement is disproportionate to the misbehavior, unnecessarily degrading, or likely to cause serious or permanent harm.

01/05/2010 S: 1st Reading Assigned Corrections, Criminal, and Civil Matters

SB0153 Joint legal custody in paternity actions. (Taylor) Amends the factors that a court must consider in awarding joint legal custody after paternity has been established to include: (1) whether the child has had an opportunity to establish; (2) whether a parent wishes to establish; and (3) whether a parent has attempted to prevent the other parent from establishing; a close and beneficial relationship with the child.

01/05/2010 S: 1st Reading Assigned Judiciary

SB0154 Custody after execution of paternity affidavit. (Taylor) Provides that if a paternity affidavit is executed, the mother has primary physical custody of the child and the man who is identified as the father has parenting time in accordance with the parenting time guidelines unless another determination is made by a court. (Current law provides that a mother has sole custody unless another custody determination is made by a court.)

01/05/2010 S: 1st Reading Assigned Judiciary

SB0314 Delinquent child support. (Rogers) Changes the definition of "delinquent" to mean at least: (1) \$1,000; or (2) three months; past due on payment of court ordered child support. (Under current law, "delinquent" means at least \$2,000 or three months past due on payment of court ordered child support.) (This definition relates to the following: (1) The suspension or denial of driving privileges. (2) The suspension or denial of a professional or occupational license or placing an obligor on probationary status regarding the license, including licenses for racetrack personnel and racing participants. (3) The suspension or denial of a license involving riverboat gambling or placing an obligor on probationary status regarding the license. (4) The suspension or revocation of certain licenses issued by the department of natural resources or placing an obligor on probationary status regarding the license. (5) The data match system operated with financial institutions.)

SB0411 Offenders owing child support. (Stutzman) Requires the department of correction to first attempt to assign a criminal offender or a delinquent offender who owes child support under a child support order to an employment program that pays wages before assigning the criminal offender or delinquent offender to an education, training, or other program unless the criminal offender or delinquent offender has a: (1) medical, psychological, social, or other condition; or (2) security classification; that would prevent the offender from participating in an employment program. Provides that a confined offender who owes child support under a child support order may participate in an educational, training, or voluntary employment program only if certain conditions apply.

01/14/2010 S: 1st Reading Assigned Corrections, Criminal, and Civil Matters