



January 12, 2007

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## SENATE BILL No. 12

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DIGEST OF SB 12 (Updated January 11, 2007 10:31 am - DI 106)

**Citations Affected:** IC 31-15.

**Synopsis:** Legal separation. Provides that the separation period granted in an action for legal separation begins: (1) on the date a separation agreement is filed, if the court does not issue an order and there is no contested hearing; (2) on the date the court issues an order approving the separation agreement, if there is not a contested hearing; or (3) on the date the court grants a separation decree following a contested hearing.

**Effective:** July 1, 2007.

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**Steele**

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January 8, 2007, read first time and referred to Committee on Judiciary.  
January 11, 2007, amended, reported favorably — Do Pass.

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SB 12—LS 6077/DI 106+



January 12, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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## SENATE BILL No. 12



A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 31-15-3-9 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. **(a)** In an action for
- 3 legal separation under section 2 of this chapter, the court may grant a
- 4 decree for a separation of the parties to the marriage for a period not to
- 5 exceed one (1) year if the court finds that:
- 6 (1) conditions in or circumstances of the marriage make it
- 7 currently intolerable for both parties to live together;
- 8 (2) the marriage should be maintained; and
- 9 (3) neither party has filed a petition or counter petition for
- 10 dissolution of marriage under IC 31-15-2 (or IC 31-1-11.5 before
- 11 its repeal).
- 12 **(b) The separation period described in subsection (a) begins on**
- 13 **the date:**
- 14 (1) **a separation agreement is filed, if:**
- 15 (A) **the court does not issue an order; and**
- 16 (B) **there is not a contested hearing;**
- 17 (2) **the court issues an order approving the separation**

SB 12—LS 6077/DI 106+



1            **agreement, if there is not a contested hearing; or**  
2            **(3) the court grants a separation decree following a contested**  
3            **hearing.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 12, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 13, delete "date the court:" and insert "**date:**

**(1) a separation agreement is filed, if:**

**(A) the court does not issue an order; and**

**(B) there is not a contested hearing;"**

Page 1, line 14, delete "(1)" and insert "**(2) the court**".

Page 1, line 16, delete "(2)" and insert "**(3) the court**".

and when so amended that said bill do pass.

(Reference is to SB 12 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

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