

3 "At the annual meeting there shall be established by the commission  
 4 and the board of supervisors a commission emergency fund of ten (10)  
 5 per cent of the annual budget, subject to the direction and control of  
 6 the commission, and at each regular meeting, if warrants of the com-  
 7 mission are drawn thereon during the preceding month, a complete  
 8 report of said payments, together with signed receipts for same, shall  
 9 be filed at the regular meeting and after review by the board of super-  
 10 visors, the county auditor shall be directed to issue a warrant to re-  
 11 imburse said commission emergency fund."

Approved April 15, 1955.

## CHAPTER 129

### UNIFORM SUPPORT OF DEPENDENTS

#### S. F. 415

AN ACT to amend chapter two hundred fifty-two A (252A), Code 1954, relating to uniform support of dependents, to permit actions to be commenced by an agency granting support, to simplify procedures, and to bring the Iowa law in closer uniformity with statutes of other states.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two hundred fifty-two A point three (252A.3)  
 2 Code 1954, is amended by adding the following subsection:

3 "Duties of support applicable under this chapter are those imposed  
 4 or imposable under the laws of any state where the respondent was  
 5 present during the period for which support is sought. The respond-  
 6 ent is presumed to have been present in the responding state during  
 7 the period for which support is sought until otherwise shown."

1 SEC. 2. Section two hundred fifty-two A point five (252A.5)  
 2 Code 1954, is amended by adding the following subsection:

3 "Whenever the state or a political subdivision thereof furnishes  
 4 support to a dependent, it has the same right through proceedings  
 5 instituted by the petitioner's representative to invoke the provisions  
 6 hereof as the dependent to whom the support was furnished, for the  
 7 purpose of securing reimbursement of expenditures so made and of  
 8 obtaining continuing support; the petition in such case may be veri-  
 9 fied by any official having knowledge of such expenditures and consent  
 10 of the dependent shall not be required in order to institute proceedings  
 11 under this chapter."

1 SEC. 3. Section two hundred fifty-two A point six (252A.6) Code  
 2 1954, is amended by inserting after the word "petitioner" in line two  
 3 (2) of subsection one (1), a comma (,) and inserting after the  
 4 comma, the following: "or by a petitioner's representative,".

1 SEC. 4. Section two hundred fifty-two A point six (252A.6) Code  
 2 1954, is further amended by inserting after the word "court" in line  
 3 three (3) of subsection one (1), the words "in equity".

1 SEC. 5. Section two hundred fifty-two A point six (252A.6) Code  
 2 1954, is further amended by adding at the end of subsection one (1),  
 3 the following:

4 "The petitioner may include in or attach to the petition any in-  
5 formation which may help in locating or identifying the respondent  
6 including, but without limitation by enumeration, a photograph of  
7 the respondent, a description of any distinguishing marks of his  
8 person, other names and aliases by which he has been or is known,  
9 the name of his employer, his finger prints, or Social Security num-  
10 ber."

1 SEC. 6. Section two hundred fifty-two A point six (252A.6) Code  
2 1954, is further amended by striking therefrom subsection three (3)  
3 thereof, and by inserting in lieu thereof, the following:

4 "If the court of this state acting as an initiating state finds that  
5 the petition sets forth facts from which it may be determined that  
6 the respondent owes a duty of support and that a court of the re-  
7 sponding state may obtain jurisdiction of the respondent or his  
8 property, it shall so certify and shall cause three copies of (1) the  
9 petition (2) its certificate and (3) this act to be transmitted to the  
10 court in the responding state. If the name and address of such court  
11 is unknown and the responding state has an information agency  
12 comparable to that established in the initiating state it shall cause  
13 such copies to be transmitted to the state information agency or  
14 other proper official of the responding state, with a request that it  
15 forward them to the proper court, and that the court of the respond-  
16 ing state acknowledge their receipt to the court of the initiating  
17 state."

1 SEC. 7. Section two hundred fifty-two A point six (252A.6)  
2 Code 1954, is further amended by striking therefrom subsection four  
3 (4) and inserting in lieu thereof, the following:

4 "When the court of this state, acting as a responding state, receives  
5 from the court of an initiating state the aforesaid copies, it shall  
6 docket the cause, notify the County Attorney or other official acting  
7 as petitioner's representative, set a time and place for a hearing, and  
8 take such action as is necessary in accordance with the laws of this  
9 state to serve notice and thus obtain jurisdiction over the respondent.  
10 If a court of the state, acting as a responding state, is unable to  
11 obtain jurisdiction of the respondent or his property due to inaccura-  
12 cies or inadequacies in the petition or otherwise, the court shall com-  
13 municate this fact to the court in the initiating state, shall on its own  
14 initiative use all means at its disposal to trace the respondent or his  
15 property, and shall hold the case pending the receipt of more accurate  
16 information or an amended petition from the court in the initiating  
17 state."

1 SEC. 8. Section two hundred fifty-two A point six (252A.6)  
2 Code 1954, is further amended by striking therefrom subsection  
3 twelve (12) thereof and inserting in lieu thereof, the following:

4 "The court making such order may require the respondent to make  
5 payment at specified intervals to the clerk of the district court, or to  
6 the dependent, or to any state or county agency, and to report per-  
7 sonally to the sheriff or any other official, at such times as may be  
8 deemed necessary."

1 SEC. 9. Section two hundred fifty-two A point six (252A.6)  
2 Code 1954, is further amended by striking therefrom subsection four-  
3 teen (14) thereof, and inserting in lieu thereof, the following:

4 "The court of this state when acting as a responding state shall  
5 have the following duties which may be carried out through the clerk  
6 of the court: upon receipt of a payment made by the respondent pur-  
7 suant to any order of the court or otherwise, to transmit the same  
8 forthwith to the court of the initiating state, and upon request to  
9 furnish to the court of the initiating state a certified statement of  
10 all payments made by the respondent."

1 SEC. 10. Section two hundred fifty-two A point six (252A.6)  
2 Code 1954, is further amended by striking therefrom subsection  
3 fifteen (15), and inserting in lieu thereof, the following:

4 "Any order of support issued by a court of the state acting as a  
5 responding state shall not supersede any previous order of support  
6 issued in a divorce or separate maintenance action, but the amounts  
7 for a particular period paid pursuant to either order shall be credited  
8 against amounts accruing or accrued for the same period under both."

1 SEC. 11. Chapter two hundred fifty-two A (252A) Code 1954, is  
2 amended by adding thereto the following section:

3 "Actual costs incurred in this state incidental to any action brought  
4 under the provisions of this chapter shall be advanced by the initiating  
5 party or agency unless otherwise ordered by the court. Where the  
6 action is brought by an agency of the state or county there shall be  
7 no filing fee."

1 SEC. 12. Chapter two hundred fifty-two A (252A) Code 1954,  
2 is amended by adding thereto the following section:

3 "When the court of this state, acting either as an initiating or re-  
4 sponding state, has reason to believe that the respondent may flee  
5 the jurisdiction it may as an initiating state request in its certificate  
6 that the court of the responding state obtain the body of the re-  
7 spondent by appropriate process if that be permissible under the  
8 law of the responding state; or, it may as a responding state, obtain  
9 the body of the respondent by appropriate process."

1 SEC. 13. Chapter two hundred fifty-two A (252A) Code 1954,  
2 is amended by adding thereto the following section:

3 "The state department of social welfare is hereby designated as  
4 the state information agency under this act, and it shall be its duty  
5 to compile a list of the courts and their addresses in this state having  
6 jurisdiction under this act and transmit the same to the state in-  
7 formation agency of every other state which has adopted this or a  
8 substantially similar act and to maintain a register of such lists re-  
9 ceived from other states."

Approved April 27, 1955.