

Reprinted 2/26/85

Amend (3270, 3273) + D's Pass 3/13 (p. 742)

SENATE FILE 244

BY COMMITTEE ON HUMAN RESOURCES
Formerly SSB 68
(Approved 2/12/85)

FILED FEB 12 1985

Passed Senate, Date 3-20-85 (p. 891) Passed House, Date 4.15.85
Vote: Ayes 47 Nays 3 Vote: Ayes 96 Nays 0
Approved May 9, 1985

A BILL FOR

1 An Act for the collection of support obligations relating to
2 the posting of security, the ordering of assignments of
3 income by the clerk of the district court or the child
4 support recovery unit, the attachment of liens, and the
5 modification of certain limitations on paternity actions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section 252A.6, subsection 11, Code 1985, is
2 amended to read as follows:

3 11. If, on the return day of the summons, the respondent
4 appears at the time and place specified therein in the summons
5 and fails to answer the petition or admits the allegations
6 thereof of the petition, or, if, after a hearing has been duly
7 held by the court in the responding state in accordance with
8 ~~the provisions of~~ this section, such the court has found and
9 determined that the prayer of the petitioner, or any part
10 thereof of the prayer, is supported by the evidence adduced in
11 the proceeding, and that the petitioner is in need of and
12 entitled to support from the respondent, the court shall make
13 and enter an order directing the respondent to furnish support
14 to the petitioner and to pay ~~therefor-such~~ a sum as the court
15 shall determine, having due regard to the parties' means and
16 circumstances. An exemplified copy of such the order shall be
17 transmitted by the court to the court in the initiating state
18 and such the copy shall be filed with and made a part of the
19 records of such the court in such the proceeding. The court
20 shall place the respondent on probation on such terms and
21 conditions ~~as the court may deem~~ deems proper or necessary to
22 assure faithful compliance by the respondent with such the
23 order. ~~The court shall also have power to require the~~
24 ~~respondent to furnish recognizance in the form of a cash~~
25 ~~deposit or surety bond in such amount as the court may deem~~
26 ~~proper and just to assure the payment of the amount required~~
27 ~~to be paid by the respondent for the support of the~~
28 ~~petitioner.~~ Upon entry of an order for support or upon
29 failure of a person to make payments pursuant to an order for
30 support, the court may require the respondent to provide
31 security, a bond, or other guarantee which the court
32 determines is satisfactory to secure the payment of the
33 support. Upon the respondent's failure to pay the support
34 under the order, the court may declare the security, bond, or
35 other guarantee forfeited.

1 Sec. 2. NEW SECTION. 252C.11 SECURITY FOR PAYMENT OF
2 SUPPORT -- FORFEITURE.

3 Upon entry of a court order or upon the failure of a person
4 to make payments pursuant to a court order, the court may
5 require the person to provide security, a bond, or other
6 guarantee which the court determines is satisfactory to secure
7 the payment of the support obligation. Upon the person's
8 failure to pay the support obligation under the court order,
9 the court may declare the security, bond, or other guarantee
10 forfeited.

11 Sec. 3. Section 252D.1, subsections 2 and 3, Code 1985,
12 are amended to read as follows:

13 2. If support payments ordered under section 252A.6,
14 subsection 12, section 598.21, or section 675.25, or under a
15 comparable statute of a foreign jurisdiction, as certified to
16 the child support recovery unit established in section 252B.2
17 are not paid to the clerk of the district court pursuant to
18 section 598.22 and become delinquent in an amount equal to the
19 payment for one month, the clerk of the district court or the
20 child support recovery unit established under section 252B.2
21 may certify a default to the court. -- The court shall order the
22 defaulting person to assign to the clerk that portion of the
23 shall order an assignment of income and notify an employer,
24 trustee, or other payor by certified mail of the order of the
25 assignment of income requiring the withholding of specified
26 sums to be deducted from the delinquent person's periodic
27 earnings, trust income, or other income sufficient to pay the
28 support obligation and the payment of such sums to the clerk
29 of the district court. The assignment of income is binding on
30 an existing or future employer, trustee, or other payor ten
31 days after the receipt of the order by certified mail. The
32 amount of an assignment of income shall not exceed the amount
33 specified in 15 U.S.C. § 1673b. The assignment of income has
34 priority over a garnishment or an assignment for a purpose
35 other than the support of the dependents in the court order

1 being enforced. The clerk of the district court or the child
2 support recovery unit may modify or revoke the ~~order-upon-the~~
3 ~~request-of-the-child-support-recovery-unit-and-may-modify-or~~
4 ~~revoke-the-order~~ assignment of income at any other time in
5 circumstances including but not limited to full payment of all
6 delinquencies or the attainment of majority by or emancipation
7 of a child.

8 3. A person entitled by court order to receive support
9 payments or a person responsible for enforcing such a court
10 order may petition the clerk of the district court for an
11 assignment of income. If the petition is verified and
12 establishes that support payments are delinquent in an amount
13 equal to the payment for one month and if the clerk of the
14 district court determines, ~~after-providing-an-opportunity-for~~
15 ~~a-hearing,~~ that notice of the mandatory assignment of income
16 as provided in section 252D.3 has been given, the clerk of the
17 district court shall ~~declare-a-default-and~~ order an assignment
18 of income under subsection 2.

19 Sec. 4. Section 252D.3, Code 1985, is amended to read as
20 follows:

21 252D.3 NOTICE OF ASSIGNMENT.

22 All ~~court~~ orders for support entered on or after July 1,
23 1984 shall notify the person ordered to pay support of the
24 mandatory assignment of income required under section 252D.1
25 ~~upon-the-person's-default~~. However, for ~~court~~ orders for
26 support entered before July 1, 1984, the clerk of the district
27 court, the child support recovery unit, or the person entitled
28 by the ~~court~~ order to receive the support payments, shall
29 notify each person ordered to pay support under such orders of
30 the mandatory assignment of income required under section
31 252D.1 ~~upon-the-person's-default~~. The notice shall be sent by
32 certified mail to the person's last known address or the
33 person shall be personally served with the notice in the
34 manner provided for service of an original notice at least
35 fifteen days prior to the filing of a petition under section

1 252D.1, subsection 3 or the entering ordering of a default an
2 assignment of income under section 252D.1, subsection 2 or 3.
3 A person ordered to pay support may waive the right to receive
4 the notice at any time.

5 Sec. 5. Section 252D.4, Code 1985, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 3. An employer, trustee, or other payor
8 who receives an order of assignment pursuant to section
9 252D.1, subsection 2, is liable for the amount which the
10 employer, trustee, or other payor willfully fails to withhold
11 from amounts due the person named in the order, together with
12 costs, interest, and reasonable attorney fees related to the
13 collection of the amounts due from the employer, trustee, or
14 other payor.

15 Sec. 6. Section 252D.5, Code 1985, is amended to read as
16 follows:

17 252D.5 OTHER REMEDIES.

18 The remedies provided in this chapter do not exclude the
19 use of other civil or criminal remedies in enforcing child
20 support obligations.

21 Sec. 7. Section 561.21, Code 1985, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 5. Those debts incurred as a result of a
24 judgment or order for child or spousal support.

25 Sec. 8. Section 598.22, Code 1985, is amended by adding
26 the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. Upon entry of an order for sup-
28 port or upon the failure of a person to make payments pursuant
29 to an order for support, the court may require the person to
30 provide security, a bond, or other guarantee which the court
31 determines is satisfactory to secure the payment of the
32 support. Upon the person's failure to pay the support under
33 the order, the court may declare the security, bond, or other
34 guarantee forfeited.

35 Sec. 9. Section 624.23, subsection 1, Code 1985, is

1 amended by adding the following new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. Judgments for child or spousal
3 support in the appellate or district courts of this state or
4 in the circuit or district court of the United States within
5 this state and administrative orders for child or spousal
6 support entered under chapter 252C, are liens upon the
7 personal and real property owned by the defendant at the time
8 of the entering of the judgment or order and upon the personal
9 and real property subsequently acquired by the defendant.
10 Upon full satisfaction of a judgment or order for child or
11 spousal support, the party entitled to the support shall
12 acknowledge the satisfaction upon request pursuant to section
13 624.37. Notwithstanding subsection 3, a lien established
14 under this subsection on a judgment or order for support is
15 not dischargeable in bankruptcy.

16 Sec. 10. Section 624.24, Code 1985, is amended by adding
17 the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Judgments and administrative
19 orders entered under chapter 252C for child or spousal support
20 shall be entered in a statewide central lien index kept by the
21 clerk of the supreme court. The liens on personal and real
22 property attach from the date of entry of the judgments or
23 orders in the statewide central lien index.

24 Sec. 11. Section 675.25, Code 1985, is amended to read as
25 follows:

26 675.25 FORM OF JUDGMENT.

27 The judgment shall be for ~~annual~~ periodic amounts, equal or
28 varying, having regard to the obligation of the father under
29 section 675.1, as the court directs, until the child reaches
30 ~~the age of eighteen years~~ majority or until the child finishes
31 high school, if after majority. ~~The payments may be required~~
32 ~~to be made at such periods or intervals as the court directs.~~
33 The court may order the father to pay amounts the court deems
34 appropriate for past and future support and maintenance of the
35 child and for the reasonable and necessary expenses incurred

1 by or for the mother in connection with prenatal care, the
2 birth of the child, and postnatal care of the child and the
3 mother. The court may award the prevailing party the
4 reasonable costs of suit, including but not limited to
5 reasonable attorney fees.

6 Sec. 12. NEW SECTION. 675.42 SECURITY FOR PAYMENT OF
7 SUPPORT -- FORFEITURE.

8 Upon entry of an order for support or upon the failure of a
9 father to make payments pursuant to an order for support, the
10 court may require the father to provide security, a bond, or
11 other guarantee which the court determines is satisfactory to
12 secure the payment of the support. Upon the father's failure
13 to pay the support under the order, the court may declare the
14 security, bond, or other guarantee forfeited.

15 Sec. 13. Sections 675.3, 675.26, and 675.33, Code 1985,
16 are repealed.

17 EXPLANATION

18 Sections 1, 2, 8, and 12 of this bill authorize the court
19 to require a person obligated to pay support to secure those
20 payments by posting security, a bond, or other guarantee. The
21 court may declare a forfeiture if the person does not pay the
22 support as ordered. The bill amends chapters 252A, 252C, 598,
23 and 675.

24 Sections 3 through 6 authorize the clerk of the district
25 court and the child support recovery unit, rather than the
26 court, to order a mandatory assignment of income, payable to
27 the clerk, and to modify or revoke the assignment in appro-
28 priate circumstances. Delinquent obligations are expanded to
29 include nonpayment of uniform support orders under chapter
30 252A and other comparable orders of foreign jurisdictions. An
31 employer, trustee, or other payor is made liable for payments
32 not withheld as ordered, together with costs, interest, and
33 reasonable attorney fees related to the collection of such
34 payments.

35 Sections 7, 9, and 10 extend liens which attach to property

1 for the payment of child or spousal support to personal
2 property, provide that such liens on both real and personal
3 property attach upon entry of the corresponding judgments or
4 orders in a statewide central lien index to be kept by the
5 clerk of the supreme court, and provide that a homestead may
6 be sold to satisfy a child or spousal support debt.

7 Sections 11 and 13 repeal the two-year statute of
8 limitations for paternity actions under chapter 675 and the
9 two-year limitation on court orders for past support under
10 that chapter. The sections provide for support until the
11 child reaches majority or finishes high school and for the
12 payment of prenatal and postnatal expenses. The court is
13 authorized to award a prevailing party the reasonable costs of
14 suit, including attorney fees, for actions brought under
15 chapter 675.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

S-3270

SENATE FILE 244

- 1 Amend Senate File 244 as follows:
- 2 1. Page 1, line 16, by striking the words "An
3 exemplified" and inserting the following: An
4 exemplified A certified".
- 5 2. Page 1, by striking lines 19 through 23 and
6 inserting the following: "records of such the court
7 in such the proceeding. ~~The court shall place the~~
8 ~~respondent on probation on such terms and conditions~~
9 ~~as the court may deem proper or necessary to assure~~
10 ~~faithful compliance by the respondent with such order.~~
11 ~~The court shall also have power to require the~~".
- 12 3. Page 2, by striking lines 28 and 29, and
13 inserting the following: "support obligation and,
14 except for trusts governed by the federal Retirement
15 Equity Act of 1984, Pub. L. No. 98-397, requiring the
16 payment of such sums to the clerk of the district
17 court. For trusts governed by the federal Retirement
18 Equity Act of 1984, Pub. L. No. 98-397, the assignment
19 of income shall require the payment of such sums to
20 the alternate payee. The assignment of income is
21 binding on".
- 22 4. Page 3, by striking lines 2 through 7 and
23 inserting the following: "support recovery unit may
24 modify or revoke the order upon the request of the
25 child support recovery unit and may modify or revoke
26 the order at any other time the assignment of income
27 on the full payment of the delinquency or revoke the
28 wage assignment upon the termination of parental
29 rights, emancipation, death or majority of the child,
30 or upon a change of custody."
- 31 5. Page 3, lines 14 and 15, by striking the words
32 "determines, ~~after providing an opportunity for a~~
33 ~~hearing,~~" and inserting the following: "determines,
34 after providing an opportunity for a hearing,".
- 35 6. Page 5, line 7, by striking the words
36 "personal and".
- 37 7. Page 5, lines 8 and 9, by striking the words
38 "personal and".
- 39 8. Page 5, by inserting after line 15 the
40 following:
- 41 "Sec. ____ . Section 624.24, Code 1985, is amended
42 to read as follows:
- 43 624.24 WHEN JUDGMENT LIEN ATTACHES.
- 44 When if the real estate lies in the county wherein
45 in which the judgment of the district court of this
46 state or of the circuit or district courts of the
47 United States was entered in the judgment docket and
48 lien index kept by the clerk of the district court
49 having jurisdiction, the lien ~~shall attach~~ attaches
50 from the date of such the entry of judgment ~~but~~.

SENATE 4
MARCH 13, 1985

S-3270 page 2

1 Except in cases of support, if in-another-it-will the
2 judgment and real estate are in different counties,
3 the lien does not attach until an attested copy of the
4 judgment is filed in the office of the clerk of the
5 district court of the county in which the real estate
6 lies. In cases of support, the lien attaches from the
7 entry of the judgment. An index of support lien shall
8 be maintained by the clerk of the district court and
9 the child support recovery unit shall maintain an
10 index of those support liens held by the child support
11 recovery unit."

S-3270 Filed
March 12, 1985

Adopted as amended by S-273 3/20 (p. 890)

By COMMITTEE ON JUDICIARY

S-3273

SENATE FILE 244

1 Amend the amendment, S-3270 to Senate
2 File 244 as follows:
3 1. Page 1, by striking lines 27 through 28, and
4 inserting the following: "on the full payment of the
5 delinquency or in an instance where the amount being
6 withheld exceeds the amount specified in 15 U.S.C. §
7 1673B, or may revoke the assignment of income upon the
8 termination of parental".

S-3273 Filed
March 12, 1985

Adopted 3/20 (p. 890)

By COMMITTEE ON JUDICIARY

SENATE FILE 244

BY COMMITTEE ON HUMAN RESOURCES

(AS AMENDED AND PASSED BY THE SENATE MARCH 20, 1985)

Passed Senate, Date 4-23-85 (p. 1603) Passed House, Date 4-15-85 (p. 1589)

Vote: Ayes 46 Nays 0 Vote: Ayes 96 Nays 0

Approved May 7, 1985

*Motion to Reconsider (p. 1479)
" provided 4/18*

*Approved Senate 4-18-85 (1676)
94-0*

A BILL FOR

1 An Act for the collection of support obligations relating to
2 the posting of security, the ordering of assignments of
3 income by the clerk of the district court or the child
4 support recovery unit, the attachment of liens, and the
5 modification of certain limitations on paternity actions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

_____ = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. Section 252A.6, subsection 11, Code 1985, is
2 amended to read as follows:

3 11. If, on the return day of the summons, the respondent
4 appears at the time and place specified therein in the summons
5 and fails to answer the petition or admits the allegations
6 thereof of the petition, or, if, after a hearing has been duly
7 held by the court in the responding state in accordance with
8 ~~the-provisions-of~~ this section, such the court has found and
9 determined that the prayer of the petitioner, or any part
10 thereof of the prayer, is supported by the evidence adduced in
11 the proceeding, and that the petitioner is in need of and
12 entitled to support from the respondent, the court shall make
13 and enter an order directing the respondent to furnish support
14 to the petitioner and to pay ~~therefor-such~~ a sum as the court
15 shall determine, having due regard to the parties' means and
16 circumstances. An-exemplified A certified copy of such the
17 order shall be transmitted by the court to the court in the
18 initiating state and such the copy shall be filed with and
19 made a part of the records of such the court in such the
20 ~~proceeding. The-court-shall-place-the-respondent-on-probation~~
21 ~~on-such-terms-and-conditions-as-the-court-may-deem-proper-or~~
22 ~~necessary-to-assure-faithful-compliance-by-the-respondent-with~~
23 ~~such-order.--The-court-shall-also-have-power-to-require-the~~
24 ~~respondent-to-furnish-recognizance-in-the-form-of-a-cash~~
25 ~~deposit-or-surety-bond-in-such-amount-as-the-court-may-deem~~
26 ~~proper-and-just-to-assure-the-payment-of-the-amount-required~~
27 ~~to-be-paid-by-the-respondent-for-the-support-of-the~~
28 ~~petitioner.~~ Upon entry of an order for support or upon
29 failure of a person to make payments pursuant to an order for
30 support, the court may require the respondent to provide
31 security, a bond, or other guarantee which the court
32 determines is satisfactory to secure the payment of the
33 support. Upon the respondent's failure to pay the support
34 under the order, the court may declare the security, bond, or
35 other guarantee forfeited.

1 Sec. 2. NEW SECTION. 252C.11 SECURITY FOR PAYMENT OF
2 SUPPORT -- FORFEITURE.

3 Upon entry of a court order or upon the failure of a person
4 to make payments pursuant to a court order, the court may
5 require the person to provide security, a bond, or other
6 guarantee which the court determines is satisfactory to secure
7 the payment of the support obligation. Upon the person's
8 failure to pay the support obligation under the court order,
9 the court may declare the security, bond, or other guarantee
10 forfeited.

11 Sec. 3. Section 252D.1, subsections 2 and 3, Code 1985,
12 are amended to read as follows:

13 2. If support payments ordered under section 252A.6,
14 subsection 12, section 598.21, or section 675.25, or under a
15 comparable statute of a foreign jurisdiction, as certified to
16 the child support recovery unit established in section 252B.2
17 are not paid to the clerk of the district court pursuant to
18 section 598.22 and become delinquent in an amount equal to the
19 payment for one month, the clerk of the district court or the
20 child support recovery unit established under section 252B.2
21 may certify a default to the court. The court shall order the
22 defaulting person to assign to the clerk that portion of the
23 income sufficient to pay the support obligation and, except for trusts governed by the
24 assignment of income requiring the withholding of specified
25 sums to be deducted from the delinquent person's periodic
26 earnings, trust income, or other income sufficient to pay the
27 support obligation and, except for trusts governed by the
28 federal Retirement Equity Act of 1984, Pub. L. No. 98-397,
29 requiring the payment of such sums to the clerk of the
30 district court. For trusts governed by the federal Retirement
31 Equity Act of 1984, Pub. L. No. 98-397, the assignment of
32 income shall require the payment of such sums to the alternate
33 payee. The assignment of income is binding on an existing or
34 future employer, trustee, or other payor ten days after the
35

1 receipt of the order by certified mail. The amount of an
2 assignment of income shall not exceed the amount specified in
3 15 U.S.C. § 1673b. The assignment of income has priority over
4 a garnishment or an assignment for a purpose other than the
5 support of the dependents in the court order being enforced.
6 The clerk of the district court or the child support recovery
7 unit may modify or revoke the order upon the request of the
8 child support recovery unit and may modify or revoke the order
9 at any other time the assignment of income on the full payment
10 of the delinquency or in an instance where the amount being
11 withheld exceeds the amount specified in 15 U.S.C. § 1673B,
12 or may revoke the assignment of income upon the termination of
13 parental rights, emancipation, death or majority of the child,
14 or upon a change of custody.

15 3. A person entitled by court order to receive support
16 payments or a person responsible for enforcing such a court
17 order may petition the clerk of the district court for an
18 assignment of income. If the petition is verified and
19 establishes that support payments are delinquent in an amount
20 equal to the payment for one month and if the clerk of the
21 district court determines, after providing an opportunity for
22 a hearing, that notice of the mandatory assignment of income
23 as provided in section 252D.3 has been given, the clerk of the
24 district court shall declare a default and order an assignment
25 of income under subsection 2.

26 Sec. 4. Section 252D.3, Code 1985, is amended to read as
27 follows:

28 252D.3 NOTICE OF ASSIGNMENT.

29 All court orders for support entered on or after July 1,
30 1984 shall notify the person ordered to pay support of the
31 mandatory assignment of income required under section 252D.1
32 ~~upon the person's default.~~ However, for court orders for
33 support entered before July 1, 1984, the clerk of the district
34 court, the child support recovery unit, or the person entitled
35 by the court order to receive the support payments, shall

1 notify each person ordered to pay support under such orders of
2 the mandatory assignment of income required under section
3 252D.1 ~~upon-the-person's-default~~. The notice shall be sent by
4 certified mail to the person's last known address or the
5 person shall be personally served with the notice in the
6 manner provided for service of an original notice at least
7 fifteen days prior to the filing of a petition under section
8 252D.1, subsection 3 or the entering ordering of a default an
9 assignment of income under section 252D.1, subsection 2 or 3.
10 A person ordered to pay support may waive the right to receive
11 the notice at any time.

12 Sec. 5. Section 252D.4, Code 1985, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 3. An employer, trustee, or other payor
15 who receives an order of assignment pursuant to section
16 252D.1, subsection 2, is liable for the amount which the
17 employer, trustee, or other payor willfully fails to withhold
18 from amounts due the person named in the order, together with
19 costs, interest, and reasonable attorney fees related to the
20 collection of the amounts due from the employer, trustee, or
21 other payor.

22 Sec. 6. Section 252D.5, Code 1985, is amended to read as
23 follows:

24 252D.5 OTHER REMEDIES.

25 The remedies provided in this chapter do not exclude the
26 use of other civil or criminal remedies in enforcing child
27 support obligations.

28 Sec. 7. Section 561.21, Code 1985, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 5. Those debts incurred as a result of a
31 judgment or order for child or spousal support.

32 Sec. 8. Section 598.22, Code 1985, is amended by adding
33 the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. Upon entry of an order for sup-
35 port or upon the failure of a person to make payments pursuant

1 to an order for support, the court may require the person to
2 provide security, a bond, or other guarantee which the court
3 determines is satisfactory to secure the payment of the
4 support. Upon the person's failure to pay the support under
5 the order, the court may declare the security, bond, or other
6 guarantee forfeited.

7 Sec. 9. Section 624.23, subsection 1, Code 1985, is
8 amended by adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Judgments for child or spousal
10 support in the appellate or district courts of this state or
11 in the circuit or district court of the United States within
12 this state and administrative orders for child or spousal
* 13 support entered under chapter 252C, are liens upon the real
14 property owned by the defendant at the time of the entering of
* 15 the judgment or order and upon the real property subsequently
16 acquired by the defendant. Upon full satisfaction of a
17 judgment or order for child or spousal support, the party
18 entitled to the support shall acknowledge the satisfaction
19 upon request pursuant to section 624.37. Notwithstanding
20 subsection 3, a lien established under this subsection on a
21 judgment or order for support is not dischargeable in
22 bankruptcy.

23 Sec. 10. Section 624.24, Code 1985, is amended to read as
24 follows:

25 624.24 WHEN JUDGMENT LIEN ATTACHES.

26 When if the real estate lies in the county wherein in which
27 the judgment of the district court of this state or of the
28 circuit or district courts of the United States was entered in
29 the judgment docket and lien index kept by the clerk of the
30 district court having jurisdiction, the lien shall attach
31 attaches from the date of such the entry of judgment, but.
32 Except in cases of support, if in-another-it-will the judgment
33 and real estate are in different counties, the lien does not
34 attach until an attested copy of the judgment is filed in the
35 office of the clerk of the district court of the county in

1 which the real estate lies. In cases of support, the lien
2 attaches from the entry of the judgment. An index of support
3 lien shall be maintained by the clerk of the district court
4 and the child support recovery unit shall maintain an index of
5 those support liens held by the child support recovery unit.

6 Sec. 11. Section 624.24, Code 1985, is amended by adding
7 the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. Judgments and administrative
9 orders entered under chapter 252C for child or spousal support
10 shall be entered in a statewide central lien index kept by the
11 clerk of the supreme court. The liens on personal and real
12 property attach from the date of entry of the judgments or
13 orders in the statewide central lien index.

14 Sec. 12. Section 675.25, Code 1985, is amended to read as
15 follows:

16 675.25 FORM OF JUDGMENT.

17 The judgment shall be for annual periodic amounts, equal or
18 varying, having regard to the obligation of the father under
19 section 675.1, as the court directs, until the child reaches
20 the age of eighteen years majority or until the child finishes
21 high school, if after majority. The payments may be required
22 to be made at such periods or intervals as the court directs.
23 The court may order the father to pay amounts the court deems
24 appropriate for past and future support and maintenance of the
25 child and for the reasonable and necessary expenses incurred
26 by or for the mother in connection with prenatal care, the
27 birth of the child, and postnatal care of the child and the
28 mother. The court may award the prevailing party the
29 reasonable costs of suit, including but not limited to
30 reasonable attorney fees.

31 Sec. 13. NEW SECTION. 675.42 SECURITY FOR PAYMENT OF
32 SUPPORT -- FORFEITURE.

33 Upon entry of an order for support or upon the failure of a
34 father to make payments pursuant to an order for support, the
35 court may require the father to provide security, a bond, or

1 other guarantee which the court determines is satisfactory to
2 secure the payment of the support. Upon the father's failure
3 to pay the support under the order, the court may declare the
4 security, bond, or other guarantee forfeited.

5 Sec. 14. Sections 675.3, 675.26, and 675.33, Code 1985,
6 are repealed.

7
8

SENATE FILE 244

H-3680

1 Amend Senate File 244 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 6, by striking lines 6 through 13.

BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

H-3680 FILED APRIL 8, 1985
Adopted 4/15/85 (p. 1537)

SENATE FILE 244

H-3852

1 Amend Senate File 244 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 4, by striking lines 28 through 31.

H-3852 FILED APRIL 17, 1985 BY CLARK of Cerro Gordo
Adopted 4/18 (p. 1670)

24

S-3841

SENATE FILE 244
HOUSE AMENDMENT

1 Amend Senate File 244 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 4, by striking lines 28 through 31.
4 2. Page 6, by striking lines 6 through 13.
5 3. By renumbering, relettering, or redesignating
6 and correcting internal references as necessary.

S-3841 Filed April 18, 1985

RECEIVED FROM THE HOUSE

Senate concurred 4/23/85 (p. 1603)

35

SSB 68

Human Resources

Filed SF 244

SENATE/HOUSE FILE 244

BY (PREFILED DEPARTMENT OF HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act for the collection of support obligations relating to
2 the posting of security, the ordering of assignments of
3 income by the clerk of the district court or the child
4 support recovery unit, the attachment of liens, and the
5 modification of certain limitations on paternity actions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

S.F. _____ H.F. _____

1 Section 1. Section 252A.6, subsection 11, Code 1985, is
2 amended to read as follows:

3 11. If, on the return day of the summons, the respondent
4 appears at the time and place specified therein in the summons
5 and fails to answer the petition or admits the allegations
6 thereof of the petition, or, if, after a hearing has been duly
7 held by the court in the responding state in accordance with
8 the provisions of this section, such the court has found and
9 determined that the prayer of the petitioner, or any part
10 thereof of the prayer, is supported by the evidence adduced in
11 the proceeding, and that the petitioner is in need of and
12 entitled to support from the respondent, the court shall make
13 and enter an order directing the respondent to furnish support
14 to the petitioner and to pay therefor such a sum as the court
15 shall determine, having due regard to the parties' means and
16 circumstances. An exemplified copy of such the order shall be
17 transmitted by the court to the court in the initiating state
18 and such the copy shall be filed with and made a part of the
19 records of such the court in such the proceeding. The court
20 shall place the respondent on probation on such terms and
21 conditions as the court may deem deems proper or necessary to
22 assure faithful compliance by the respondent with such the
23 order. ~~The court shall also have power to require the~~
24 ~~respondent to furnish recognizance in the form of a cash~~
25 ~~deposit or surety bond in such amount as the court may deem~~
26 ~~proper and just to assure the payment of the amount required~~
27 ~~to be paid by the respondent for the support of the~~
28 ~~petitioner.~~ Upon entry of an order for support or upon
29 failure of a person to make payments pursuant to an order for
30 support, the court ~~may~~ require the respondent to provide
31 security, a bond, or other guarantee which the court ...
32 determines is satisfactory to secure the payment of the
33 support. Upon the respondent's failure to pay the support
34 under the order, the court may declare the security, bond, or
35 other guarantee forfeited.

1 Sec. 2: NEW SECTION... 252C.11 SECURITY FOR PAYMENT OF
2 SUPPORT--FORFEITURE.

3 Upon entry of a court order or upon the failure of a person
4 to make payments pursuant to a court order, the court may
5 require the person to provide security, a bond, or other
6 guarantee which the court determines is satisfactory to secure
7 the payment of the support obligation. Upon the person's
8 failure to pay the support obligation under the court order,
9 the court may declare the security, bond, or other guarantee
10 forfeited.

11 Sec. 3. Section 252D.1, subsections 2 and 3, Code 1985,
12 are amended to read as follows:

13 2. If support payments ordered under section 252A.6,
14 subsection 12, section 598.21, or section 675.25, or under a
15 comparable statute of a foreign jurisdiction, as certified to
16 the child support recovery unit established in section 252B.2
17 are not paid to the clerk of the district court pursuant to
18 section 598.22 and become delinquent in an amount equal to the
19 payment for one month, the clerk of the district court or the
20 child support recovery unit established under section 252B.2
21 may certify a default to the court.--The court shall order the
22 defaulting person to assign to the clerk that portion of the
23 shall order an assignment of income and notify an employer,
24 trustee, or other payor by certified mail of the order of the
25 assignment of income requiring the withholding of specified
26 sums to be deducted from the delinquent person's periodic
27 earnings, trust income, or other income sufficient to pay the
28 support obligation and the payment of such sums to the clerk
29 of the district court. The assignment of income is binding on
30 an existing or future employer, trustee, or other payor ten
31 days after the receipt of the order by certified mail. The
32 amount of an assignment of income shall not exceed the amount
33 specified in 15 U.S.C. sec. 1673b. The assignment of income
34 has priority over a garnishment or an assignment for a purpose
35 other than the support of the dependents in the court order

1 being enforced. The clerk of the district court or the child
2 support recovery unit may modify or revoke the order-upon-the
3 request-of-the-child-support-recovery-unit-and-may-modify-or
4 revoke-the-order assignment of income at any other time in
5 circumstances including but not limited to full payment of all
6 delinquencies or the attainment of majority by or emancipation
7 of a child.

8 3. A person entitled by court order to receive support
9 payments or a person responsible for enforcing such a court
10 order may petition the clerk of the district court for an
11 assignment of income. If the petition is verified and
12 establishes that support payments are delinquent in an amount
13 equal to the payment for one month and if the clerk of the
14 district court determines, after providing an opportunity for
15 a hearing, that notice of the mandatory assignment of income
16 as provided in section 252D.3 has been given, the clerk of the
17 district court shall declare a default and order an assignment
18 of income under subsection 2.

19 Sec. 4. Section 252D.3, Code 1985, is amended to read as
20 follows:

21 252D.3 NOTICE OF ASSIGNMENT.

22 All court orders for support entered on or after July 1,
23 1984 shall notify the person ordered to pay support of the
24 mandatory assignment of income required under section 252D.1
25 upon-the-person's-default. However, for court orders for
26 support entered before July 1, 1984, the clerk of the district
27 court, the child support recovery unit, or the person entitled
28 by the court order to receive the support payments, shall
29 notify each person ordered to pay support under such orders of
30 the mandatory assignment of income required under section
31 252D.1 upon-the-person's-default. The notice shall be sent by
32 certified mail to the person's last known address or the
33 person shall be personally served with the notice in the
34 manner provided for service of an original notice at least
35 fifteen days prior to the filing of a petition under section

1 252D.1, subsection 3 or the entering ordering of a-default an
2 assignment of income under section 252D.1, subsection 2 or 3.
3 A person ordered to pay support may waive the right to receive
4 the notice at any time.

5 Sec. 5. Section 252D.4, Code 1985, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 3. An employer, trustee, or other payor
8 who receives an order of assignment pursuant to section
9 252D.1, subsection 2, is liable for the amount which the
10 employer, trustee, or other payor fails to withhold from
11 amounts due the person named in the order, together with
12 costs, interest, and reasonable attorney fees related to the
13 collection of the amounts due from the employer, trustee, or
14 other payor.

15 Sec. 6. Section 252D.5, Code 1985, is amended to read as
16 follows:

17 252D.5 OTHER REMEDIES.

18 The remedies provided in this chapter do not exclude the
19 use of other civil or criminal remedies in enforcing child
20 support obligations.

21 Sec. 7. Section 561.21, Code 1985, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 5. Those debts incurred as a result of a
24 judgment or order for child or spousal support.

25 Sec. 8. Section 598.22, Code 1985, is amended by adding
26 the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. Upon entry of an order for sup-
28 port or upon the failure of a person to make payments pursuant
29 to an order for support, the court may require the person to
30 provide security, a bond, or other guarantee which the court
31 determines is satisfactory to secure the payment of the
32 support. Upon the person's failure to pay the support under
33 the order, the court may declare the security, bond, or other
34 guarantee forfeited.

35 Sec. 9. Section 624.23, subsection 1, Code 1985, is

1 amended by adding the following new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. Judgments for child or spousal
3 support in the appellate or district courts of this state or
4 in the circuit or district court of the United States within
5 this state and administrative orders for child or spousal
6 support entered under chapter 252C, are liens upon the
7 personal and real property owned by the defendant at the time
8 of the entering of the judgment or order and upon the personal
9 and real property subsequently acquired by the defendant.
10 Upon full satisfaction of a judgment or order for child or
11 spousal support, the party entitled to the support shall
12 acknowledge the satisfaction upon request pursuant to section
13 624.37. Notwithstanding subsection 3, a lien established
14 under this subsection on a judgment or order for support is
15 not dischargeable in bankruptcy.

16 Sec. 10. Section 624.24, Code 1985, is amended by adding
17 the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Judgments and administrative
19 orders entered under chapter 252C for child or spousal support
20 shall be entered in a statewide central lien index kept by the
21 clerk of the supreme court. The liens on personal and real
22 property attach from the date of entry of the judgments or
23 orders in the statewide central lien index.

24 Sec. 11. Section 675.25, Code 1985, is amended to read as
25 follows:

26 675.25 FORM OF JUDGMENT.

27 The judgment shall be for annual periodic amounts, equal or
28 varying, having regard to the obligation of the father under
29 section 675.1, as the court directs, until the child reaches
30 the-age-of-eighteen-years majority or until the child finishes
31 high school, if after majority. The-payments-may-be-required
32 to-be-made-at-such-periods-or-intervals-as-the-court-directs.
33 The court may order the father to pay amounts the court deems
34 appropriate for past and future support and maintenance of the
35 child and for the reasonable and necessary expenses incurred

1 by or for the mother in connection with prenatal care, the
2 birth of the child, and postnatal care of the child and the
3 mother. The court may award the prevailing party the
4 reasonable costs of suit, including but not limited to
5 reasonable attorney fees.

6 Sec. 12. NEW SECTION. 675.42 SECURITY FOR PAYMENT OF
7 SUPPORT -- FORFEITURE.

8 Upon entry of an order for support or upon the failure of a
9 father to make payments pursuant to an order for support, the
10 court may require the father to provide security, a bond, or
11 other guarantee which the court determines is satisfactory to
12 secure the payment of the support. Upon the father's failure
13 to pay the support under the order, the court may declare the
14 security, bond, or other guarantee forfeited.

15 Sec. 13. Sections 675.3, 675.26, and 675.33, Code 1985,
16 are repealed.

17 EXPLANATION

18 Sections 1, 2, 8, and 12 of this bill authorize the court
19 to require a person obligated to pay support to secure those
20 payments by posting security, a bond, or other guarantee. The
21 court may declare a forfeiture if the person does not pay the
22 support as ordered. The bill amends chapters 252A, 252C, 598,
23 and 675.

24 Sections 3 through 6 authorize the clerk of the district
25 court and the child support recovery unit, rather than the
26 court, to order a mandatory assignment of income, payable to
27 the clerk, and to modify or revoke the assignment in appro-
28 priate circumstances. Delinquent obligations are expanded to
29 include nonpayment of uniform support orders under chapter
30 252A and other comparable orders of foreign jurisdictions. An
31 employer, trustee, or other payor is made liable for payments
32 not withheld as ordered, together with costs, interest, and
33 reasonable attorney fees related to the collection of such
34 payments.

35 Sections 7, 9, and 10 extend liens which attach to property

1 for the payment of child or spousal support to personal
2 property, provide that such liens on both real and personal
3 property attach upon entry of the corresponding judgments or
4 orders in a statewide central lien index to be kept by the
5 clerk of the supreme court, and provide that a homestead may
6 be sold to satisfy a child or spousal support debt.

7 Sections 11 and 13 repeal the two-year statute of
8 limitations for paternity actions under chapter 675 and the
9 two-year limitation on court orders for past support under
10 that chapter. The sections provide for support until the
11 child reaches majority or finishes high school and for the
12 payment of prenatal and postnatal expenses. The court is
13 authorized to award a prevailing party the reasonable costs of
14 suit, including attorney fees, for actions brought under
15 chapter 675.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 244

AN ACT

FOR THE COLLECTION OF SUPPORT OBLIGATIONS RELATING TO THE POSTING OF SECURITY, THE ORDERING OF ASSIGNMENTS OF INCOME BY THE CLERK OF THE DISTRICT COURT OR THE CHILD SUPPORT RECOVERY UNIT, THE ATTACHMENT OF LIENS, AND THE MODIFICATION OF CERTAIN LIMITATIONS ON PATERNITY ACTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 252A.6, subsection 11, Code 1985, is amended to read as follows:

11. If, on the return day of the summons, the respondent appears at the time and place specified therein in the summons and fails to answer the petition or admits the allegations thereof of the petition, or, if, after a hearing has been duly held by the court in the responding state in accordance with the provisions of this section, such the court has found and determined that the prayer of the petitioner, or any part thereof of the prayer, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall make and enter an order directing the respondent to furnish support to the petitioner and to pay therefor such a sum as the court shall determine, having due regard to the parties' means and circumstances. ~~An exemplified A certified copy of such the order shall be transmitted by the court to the court in the initiating state and such the copy shall be filed with and made a part of the records of such the court in such the proceeding. The court shall place the respondent on probation on such terms and conditions as the court may deem proper or necessary to assure faithful compliance by the respondent with such order. The court shall also have power to require the respondent to furnish recognizance in the form of a cash~~

~~deposit or surety bond in such amount as the court may deem proper and just to assure the payment of the amount required to be paid by the respondent for the support of the petitioner. Upon entry of an order for support or upon failure of a person to make payments pursuant to an order for support, the court may require the respondent to provide security, a bond, or other guarantee which the court determines is satisfactory to secure the payment of the support. Upon the respondent's failure to pay the support under the order, the court may declare the security, bond, or other guarantee forfeited.~~

Sec. 2. NEW SECTION. 252C.11 SECURITY FOR PAYMENT OF SUPPORT -- FORFEITURE.

Upon entry of a court order or upon the failure of a person to make payments pursuant to a court order, the court may require the person to provide security, a bond, or other guarantee which the court determines is satisfactory to secure the payment of the support obligation. Upon the person's failure to pay the support obligation under the court order, the court may declare the security, bond, or other guarantee forfeited.

Sec. 3. Section 252D.1, subsections 2 and 3, Code 1985, are amended to read as follows:

2. If support payments ordered under section 252A.6, subsection 12, section 598.21, or section 675.25, or under a comparable statute of a foreign jurisdiction, as certified to the child support recovery unit established in section 252B.2 are not paid to the clerk of the district court pursuant to section 598.22 and become delinquent in an amount equal to the payment for one month, the clerk of the district court or the child support recovery unit ~~established under section 252B.2~~ may certify a default to the court. ~~The court shall order the defaulting person to assign to the clerk that portion of the~~ shall order an assignment of income and notify an employer, trustee, or other payor by certified mail of the order of the

assignment of income requiring the withholding of specified sums to be deducted from the delinquent person's periodic earnings, trust income, or other income sufficient to pay the support obligation and, except for trusts governed by the federal Retirement Equity Act of 1984, Pub. L. No. 98-397, requiring the payment of such sums to the clerk of the district court. For trusts governed by the federal Retirement Equity Act of 1984, Pub. L. No. 98-397, the assignment of income shall require the payment of such sums to the alternate payee. The assignment of income is binding on an existing or future employer, trustee, or other payor ten days after the receipt of the order by certified mail. The amount of an assignment of income shall not exceed the amount specified in 15 U.S.C. § 1673(b). The assignment of income has priority over a garnishment or an assignment for a purpose other than the support of the dependents in the court order being enforced. The clerk of the district court or the child support recovery unit may modify or-revoke-the-order-upon-the request-of-the-child-support-recovery-unit-and-may-modify-or-revoke-the-order-at-any-other-time the assignment of income on the full payment of the delinquency or in an instance where the amount being withheld exceeds the amount specified in 15 U.S.C. § 1673(b), or may revoke the assignment of income upon the termination of parental rights, emancipation, death or majority of the child, or upon a change of custody.

3. A person entitled by court order to receive support payments or a person responsible for enforcing such a court order may petition the clerk of the district court for an assignment of income. If the petition is verified and establishes that support payments are delinquent in an amount equal to the payment for one month and if the clerk of the district court determines, after providing an opportunity for a hearing, that notice of the mandatory assignment of income as provided in section 252D.3 has been given, the clerk of the district court shall declare-a-default-and order an assignment of income under subsection 2.

Sec. 4. Section 252D.3, Code 1985, is amended to read as follows:

252D.3 NOTICE OF ASSIGNMENT.

All court orders for support entered on or after July 1, 1984 shall notify the person ordered to pay support of the mandatory assignment of income required under section 252D.1 ~~upon-the-person's-default~~. However, for court orders for support entered before July 1, 1984, the clerk of the district court, the child support recovery unit, or the person entitled by the court order to receive the support payments, shall notify each person ordered to pay support under such orders of the mandatory assignment of income required under section 252D.1 ~~upon-the-person's-default~~. The notice shall be sent by certified mail to the person's last known address or the person shall be personally served with the notice in the manner provided for service of an original notice at least fifteen days prior to the filing of a petition under section 252D.1, subsection 3 or the entering ordering of a-default an assignment of income under section 252D.1, subsection 2 or 3. A person ordered to pay support may waive the right to receive the notice at any time.

Sec. 5. Section 252D.4, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. An employer, trustee, or other payor who receives an order of assignment pursuant to section 252D.1, subsection 2, is liable for the amount which the employer, trustee, or other payor willfully fails to withhold from amounts due the person named in the order, together with costs, interest, and reasonable attorney fees related to the collection of the amounts due from the employer, trustee, or other payor.

Sec. 6. Section 252D.5, Code 1985, is amended to read as follows:

252D.5 OTHER REMEDIES.

The remedies provided in this chapter do not exclude the use of other civil or criminal remedies in enforcing child support obligations.

Sec. 7. Section 598.22, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Upon entry of an order for support or upon the failure of a person to make payments pursuant to an order for support, the court may require the person to provide security, a bond, or other guarantee which the court determines is satisfactory to secure the payment of the support. Upon the person's failure to pay the support under the order, the court may declare the security, bond, or other guarantee forfeited.

Sec. 8. Section 624.23, subsection 1, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Judgments for child or spousal support in the appellate or district courts of this state or in the circuit or district court of the United States within this state and administrative orders for child or spousal support entered under chapter 252C, are liens upon the real property owned by the defendant at the time of the entering of the judgment or order and upon the real property subsequently acquired by the defendant. Upon full satisfaction of a judgment or order for child or spousal support, the party entitled to the support shall acknowledge the satisfaction upon request pursuant to section 624.37. Notwithstanding subsection 3, a lien established under this subsection on a judgment or order for support is not dischargeable in bankruptcy.

Sec. 9. Section 624.24, Code 1985, is amended to read as follows:

624.24 WHEN JUDGMENT LIEN ATTACHES.

When if the real estate lies in the county wherein in which the judgment of the district court of this state or of the circuit or district courts of the United States was entered in

the judgment docket and lien index kept by the clerk of the district court having jurisdiction, the lien ~~shall attach~~ attaches from the date of ~~such the~~ entry of judgment ~~but.~~ Except in cases of support, if in another it will the judgment and real estate are in different counties, the lien does not attach until an attested copy of the judgment is filed in the office of the clerk of the district court of the county in which the real estate lies. In cases of support, the lien attaches from the entry of the judgment. An index of support lien shall be maintained by the clerk of the district court and the child support recovery unit shall maintain an index of those support liens held by the child support recovery unit.

Sec. 10. Section 675.25, Code 1985, is amended to read as follows:

675.25 FORM OF JUDGMENT.

The judgment shall be for ~~annual~~ periodic amounts, equal or varying, having regard to the obligation of the father under section 675.1, as the court directs, until the child reaches ~~the age of eighteen years~~ majority or until the child finishes high school, if after majority. ~~The payments may be required to be made at such periods or intervals as the court directs.~~ The court may order the father to pay amounts the court deems appropriate for past and future support and maintenance of the child and for the reasonable and necessary expenses incurred by or for the mother in connection with prenatal care, the birth of the child, and postnatal care of the child and the mother. The court may award the prevailing party the reasonable costs of suit, including but not limited to reasonable attorney fees.

Sec. 11. NEW SECTION. 675.42 SECURITY FOR PAYMENT OF SUPPORT -- FORFEITURE.

Upon entry of an order for support or upon the failure of a father to make payments pursuant to an order for support, the court may require the father to provide security, a bond, or other guarantee which the court determines is satisfactory to

secure the payment of the support. Upon the father's failure to pay the support under the order, the court may declare the security, bond, or other guarantee forfeited.

Sec. 12. Sections 675.3, 675.26, and 675.33, Code 1985, are repealed.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 244, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 9, 1985

TERRY E. BRANSTAD
Governor