

(P. 94) 1-19-94 (Homen) Res

FILED JAN 19 1994
SENATE FILE 2037
BY SZYMONIAK

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

A BILL FOR

1 An Act relating to modification of child support orders based
2 upon misrepresentation of paternity.

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

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SF 2037

1 Section 1. Section 598.21, subsection 8, Code Supplement
2 1993, is amended by adding the following new paragraph after
3 paragraph k and relettering the subsequent paragraph:

4 NEW PARAGRAPH. 1. Factual evidence which suggests that
5 the paternity of the child, for whom a support order has been
6 entered, was misrepresented.

7 Sec. 2. Section 600B.41, subsection 7, Code Supplement
8 1993, is amended by adding the following new paragraph after
9 paragraph a and relettering the subsequent paragraphs:

10 NEW PARAGRAPH. b. If paternity is challenged for the
11 purposes of and in accordance with section 598.21, subsection
12 8, paragraph "1", paternity may be overcome under this
13 subsection if all conditions under paragraph "a", with the
14 exception of paragraph "a", subparagraph (4), are met.

15 EXPLANATION

16 This bill provides that a modification of an order for
17 child support may be granted based upon factual evidence which
18 suggests that the paternity of the child in question was
19 misrepresented. Paternity may be overcome, based upon such a
20 request for modification if conditions already established
21 under section 600B.41, subsection 7, paragraph "a", with the
22 exception of the condition which limits filing of an action to
23 overcome paternity to no later than three years after the
24 establishment of paternity, are met.

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