

House Amendment 8509

Amendment Text

PAG LIN

1 1 Amend [Senate File 2313](#), as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 28, by inserting after line 19 the
1 4 following:
1 5 "It is also the intent of the general assembly to
1 6 enhance employment opportunities for families,
1 7 including those for noncustodial parents, to improve
1 8 the ability of both parents to support their children.
1 9 In doing so, the department of human services and the
1 10 department of workforce development shall cooperate to
1 11 assist both parents in obtaining and maintaining
1 12 employment including through the mechanisms provided
1 13 under the family investment program, the job
1 14 opportunities and basic skills (JOBS) program, the
1 15 welfare-to-work program, and the child support
1 16 recovery program.

DIVISION XI

SATISFACTION OF ACCRUED SUPPORT DEBT

1 19 Sec. _____. Section [252B.3](#), Code Supplement 1997, is
1 20 amended by adding the following new subsection:
1 21 NEW SUBSECTION. 5. On or after July 1, 1999, the
1 22 department shall implement a program for the
1 23 satisfaction of accrued support debts, based upon
1 24 timely payment by the obligor of both current support
1 25 due and any payments due for accrued support debt
1 26 under a periodic payment plan. The unit shall adopt
1 27 rules pursuant to chapter 17A to establish the
1 28 criteria and procedures for obtaining satisfaction
1 29 under the program. The rules adopted under this
1 30 subsection shall specify the cases and amounts to
1 31 which the program is applicable, and may provide for
1 32 the establishment of the program as a pilot program.

1 33 Sec. _____. Section [598.22A](#), Code Supplement 1997,
1 34 is amended by adding the following new subsection:
1 35 NEW SUBSECTION. 4. Payment of accrued support
1 36 debt due the department of human services shall be
1 37 credited pursuant to section 252B.3, subsection 5.

DIVISION XII

ALTERNATIVES TO MEDIAN INCOME

1 40 Sec. _____. Section [252B.7A](#), subsection 1, paragraph
1 41 d, unnumbered paragraph 1, Code Supplement 1997, is
1 42 amended to read as follows:

1 43 By July 1, 1999, the department shall adopt rules
1 44 for imputing income, whenever possible, based on the
1 45 earning capacity of a parent who does not provide
1 46 income information or for whom income information is
1 47 not available. Until such time as the department
1 48 adopts rules establishing a different standard for
1 49 determining the income of a parent who does not
1 50 provide income information or for whom income
2 1 information is not available, the estimated state
2 2 median income for a one-person family as published
2 3 annually in the Federal Register for use by the
2 4 federal office of community services, office of energy
2 5 assistance, for the subsequent federal fiscal year.

DIVISION XIII

INCOME WITHHOLDING ARREARAGE RATES

2 8 Sec. _____. Section [252D.18](#), subsection 1, Code
2 9 1997, is amended by adding the following new
2 10 paragraph:
2 11 NEW PARAGRAPH. d. There has been a change in the
2 12 rules adopted by the department pursuant to chapter
2 13 17A regarding the amount of income to be withheld to
2 14 pay a delinquency.

2 15 Sec. _____. INCOME WITHHOLDING RATES.
2 16 1. Beginning July 1, 1998, the amount of income
2 17 withheld for the payment of delinquent support, as
2 18 determined by the child support recovery unit under
2 19 chapter 252D, shall be decreased on a prospective
2 20 basis from the current level of fifty percent of the
2 21 current child support obligation.
2 22 2. The department of human services may adopt
2 23 rules pursuant to section 17A.4, subsection 2, and
2 24 section 17A.5, subsection 2, paragraph "b", to
2 25 implement this section and the rules shall become
2 26 effective immediately upon filing, unless the
2 27 effective date is delayed by the administrative rules
2 28 review committee, notwithstanding section 17A.4,
2 29 subsection 5, and section 17A.8, subsection 9, or a
2 30 later effective date is specified in the rules. Any
2 31 rules adopted in accordance with this section shall
2 32 not take effect before the rules are reviewed by the
2 33 administrative rules review committee. Any rules
2 34 adopted in accordance with the provision of this
2 35 section shall also be published as notice of intended
2 36 action as provided in section 17A.4.
2 37 3. The department of human services may modify the
2 38 rules adopted under this section regarding the rate of
2 39 withholding established for payment of delinquent
2 40 support, based upon the results of implementation of
2 41 this section including but not limited to the
2 42 resulting impact on collections.

2 43 DIVISION XIV

2 44 SATISFACTION OF SUPPORT OWED TO PARENT

2 45 Sec. _____. Section [252B.20](#), subsection 2, paragraph
2 46 b, Code Supplement 1997, is amended to read as
2 47 follows:

2 48 b. Approve the request and prepare an order which
2 49 shall be submitted, along with the affidavit, to a
2 50 judge of a district court for approval, suspending the
3 1 accruing support obligation and, if requested by the
3 2 obligor, and if not prohibited by chapter 252K,
3 3 satisfying the obligation of support due the obligee.

3 4 Sec. _____. Section [252B.20](#), subsections 3, 10, and
3 5 11, Code Supplement 1997, are amended to read as
3 6 follows:

3 7 3. An order approved by the court for suspension
3 8 of an accruing support obligation is effective upon
3 9 the date of filing of the suspension order. The
3 10 satisfaction of an obligation of support due the
3 11 obligee shall be final upon the filing of the
3 12 suspension order. A support obligation which is
3 13 satisfied is not subject to the reinstatement
3 14 provisions of this section.

3 15 10. This section does not provide for the
3 16 suspension

~~, waiver, satisfaction,~~
- or retroactive

3 17 modification of support obligations which accrued
3 18 prior to the entry of an order suspending enforcement
3 19 and collection of support pursuant to this section.
3 20 However, if in the application for suspension, an
3 21 obligee elects to satisfy an obligation of accrued

3 22 support due the obligee, the suspension order may
3 23 satisfy the obligation of accrued support due the
3 24 obligee.

3 25 11. Nothing in this section shall prohibit or
3 26 limit the unit or a party entitled to receive support
3 27 from enforcing and collecting any unpaid or
3 28 unsatisfied support that accrued prior to the
3 29 suspension of the accruing obligation.

3 30 DIVISION XV
3 31 PASS THROUGH OF CHILD SUPPORT
3 32 Sec. ____ . FEDERAL PERMISSION PASS THROUGH OF
3 33 CHILD SUPPORT.

3 34 1. The department of human services shall seek
3 35 permission from the United States department of health
3 36 and human services for a statewide initiative to pass
3 37 the full amount of child support collected, on behalf
3 38 of family investment program participants, through to
3 39 those families without being required to reimburse the
3 40 federal government for the federal share of the child
3 41 support collected. If the department of human
3 42 services receives unconditional approval from the
3 43 United States department of health and human services,
3 44 the department shall submit an implementation proposal
3 45 to the general assembly that provides for a net offset
3 46 in family investment program benefits which is
3 47 equivalent to the amount of child support passed
3 48 through to the family.

3 49 2. The goals of the initiative shall include all
3 50 of the following:

4 1 a. Encouraging payment of child support by
4 2 providing a direct connection between the act of
4 3 paying child support and the receipt of child support
4 4 by the child.

4 5 b. Reinforcing the value of employment for family
4 6 investment program participants by more clearly
4 7 identifying the actual level of income necessary to
4 8 become independent from the receipt of benefits under
4 9 the family investment program when child support is
4 10 also being received."

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4 14 COMMITTEE ON [HUMAN RESOURCES](#)

4 15 BODDICKER of Cedar, Chairperson

4 16 [SF 2313.302](#) 77

4 17 pf/cf/28