

House Amendment 8146

PAG LIN

1 1 Amend House File 2332 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 232.4, Code 2005, is amended
1 5 to read as follows:
1 6 232.4 JURISDICTION == SUPPORT OBLIGATION ==
1 7 CUSTODY.
1 8 1. Notwithstanding any other provision of this
1 9 chapter, and for the purposes of establishing a
1 10 parental liability obligation for a child under the
1 11 jurisdiction of the juvenile court, a support
1 12 obligation shall be established pursuant to section
1 13 234.39.
1 14 2. a. For the purposes of modifying an order for
1 15 custody, physical care, or support of a child under
1 16 the jurisdiction of the juvenile court, if a
1 17 permanency order of the juvenile court issued pursuant
1 18 to section 232.58 or 232.104 transfers the legal
1 19 custody of the child to a parent who is subject to an
1 20 order to pay an accruing child support obligation
1 21 entered under any chapter of the Code, the transfer
1 22 constitutes a substantial change in circumstances
1 23 pursuant to section 598.21C, subsection 1, paragraph
1 24 "k", and for the purposes of section 598.41. Upon
1 25 issuance of a permanency order described in this
1 26 subsection, the juvenile court shall submit a copy of
1 27 the permanency order to the district court in each
1 28 county where a custody, physical care, or support
1 29 order involving the parents is entered. A copy of the
1 30 permanency order shall be personally served or sent by
1 31 regular mail to the last known address of a parent,
1 32 the obligee of the accruing support obligation, and to
1 33 the child support recovery unit. The district court
1 34 shall modify any existing custody, physical care, or
1 35 support order to reflect the provisions of the
1 36 permanency order submitted, subject to the provisions
1 37 of paragraphs "b", "c", and "d". The district court
1 38 order modifying support shall be effective upon
1 39 filing. Unpaid support which accrued prior to the
1 40 filing date remains due and owing.
1 41 b. The provisions of chapter 252K and 28 U.S.C. }
1 42 1738 shall apply to this subsection.
1 43 c. If the permanency order from the juvenile court
1 44 applies to fewer than all of the children for whom
1 45 there is an order for an accruing support obligation
1 46 and if there is no step change in the support order,
1 47 the district court shall determine support based upon
1 48 the guidelines established under section 598.21B, and
1 49 then modify support. The district court may declare
1 50 the step change amounts based upon the prior
2 1 guidelines calculation records, or the district court
2 2 may recalculate the support based upon the guidelines.
2 3 For the purposes of this subsection, "step change"
2 4 means step change as defined in section 252B.20.
2 5 d. If there is no existing district court order
2 6 awarding custody or physical care of the child, the
2 7 district court shall limit the modification under this
2 8 subsection to support.
2 9 e. Any filing fee or court costs associated with
2 10 an order under this subsection shall be waived.>
2 11 #2. Page 1, by inserting after line 26 the
2 12 following:
2 13 <Sec. _____. Section 598.21C, subsection 1,
2 14 paragraph k, Code Supplement 2005, is amended to read
2 15 as follows:
2 16 k. Entry of a dispositional or permanency order in
2 17 juvenile court pursuant to chapter 232 placing custody
2 18 or physical care of a child with a party who is
2 19 obligated to pay support for a child.>
2 20 #3. Page 1, by inserting before line 27, the
2 21 following:
2 22 <Sec. _____. APPLICABILITY. The sections of this
2 23 Act amending sections 232.4 and 598.21C apply to
2 24 permanency orders entered by the juvenile court on or

2 25 after July 1, 2006.>
2 26 #4. Page 1, lines 27 and 28, by striking the words
2 27 <This Act is> and inserting the following: <The
2 28 sections of this Act creating section 252D.16A and
2 29 amending section 252D.18 are>.
2 30 #5. Page 1, line 31, by inserting after the words
2 31 <conform to> the following: <those sections of>.
2 32 #6. Title page, line 1, by inserting after the
2 33 word <to> the following: <child support, including
2 34 modification of support based upon permanency orders
2 35 of the juvenile court and>.
2 36 #7. Title page, line 2, by inserting after the
2 37 word <program> the following: <and providing for
2 38 applicability and retroactive applicability>.
2 39 #8. By renumbering as necessary.
2 40
2 41
2 42 _____
2 43 HUSER of Polk
2 44
2 45
2 46 _____
2 47 HEDDENS of Story
2 48 HF 2332.502 81
2 49 pf/je/3519