

Senate File 510

H-1373

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, after line 31 by inserting:

5 <DIVISION

6 UNIFORM INTERSTATE FAMILY SUPPORT ACT

7 Sec. \_\_\_\_ . NEW SECTION. 252K.100 Title.

8 This chapter shall be known and may be cited as the  
9 "*Uniform Interstate Family Support Act*".

10 Sec. \_\_\_\_ . Section 252K.101, Code 2015, is amended  
11 to read as follows:

12 **252K.101 Definitions.**

13 In this chapter:

14 1. "*Child*" means an individual, whether over or  
15 under the age of majority, who is or is alleged to be  
16 owed a duty of support by the individual's parent or  
17 who is or is alleged to be the beneficiary of a support  
18 order directed to the parent.

19 2. "*Child support order*" means a support order for  
20 a child, including a child who has attained the age of  
21 majority under the law of the issuing state or foreign  
22 country.

23 3. "*Convention*" means the convention on the  
24 international recovery of child support and other  
25 forms of family maintenance, concluded at the Hague on  
26 November 23, 2007.

27 ~~3.~~ 4. "*Duty of support*" means an obligation  
28 imposed or imposable by law to provide support for  
29 a child, spouse, or former spouse, including an  
30 unsatisfied obligation to provide support.

31 5. "*Foreign country*" means a country, including a  
32 political subdivision thereof, other than the United  
33 States, that authorizes the issuance of support orders  
34 and which meets any of the following conditions:

35 a. Has been declared under the law of the United  
36 States to be a foreign reciprocating country.

37 b. Has established a reciprocal arrangement for  
38 child support with this state as provided in section  
39 252K.308.

40 c. Has enacted a law or established procedures for  
41 the issuance and enforcement of support orders which  
42 are substantially similar to the procedures under this  
43 chapter.

44 d. In which the convention is in force with respect  
45 to the United States.

46 6. "*Foreign support order*" means a support order of  
47 a foreign tribunal.

48 7. "*Foreign tribunal*" means a court, administrative  
49 agency, or quasi-judicial entity of a foreign country  
50 which is authorized to establish, enforce, or modify

1 support orders or to determine parentage of a child.  
2 The term includes a competent authority under the  
3 convention.

4 ~~4.~~ 8. "Home state" means the state or foreign  
5 country in which a child lived with a parent or a  
6 person acting as parent for at least six consecutive  
7 months immediately preceding the time of filing of a  
8 petition or comparable pleading for support and, if a  
9 child is less than six months old, the state or foreign  
10 country in which the child lived from birth with any of  
11 them. A period of temporary absence of any of them is  
12 counted as part of the six-month or other period.

13 ~~5.~~ 9. "Income" includes earnings or other periodic  
14 entitlements to money from any source and any other  
15 property subject to withholding for support under the  
16 law of this state.

17 ~~6.~~ 10. "Income withholding order" means an order or  
18 other legal process directed to an obligor's employer  
19 or other payor of income, as defined by the income  
20 withholding law of this state, to withhold support from  
21 the income of the obligor.

22 ~~7.~~ "Initiating state" means a state from which a  
23 proceeding is forwarded or in which a proceeding is  
24 filed for forwarding to a responding state under this  
25 chapter or a law or procedure substantially similar  
26 to this chapter, the Uniform Reciprocal Enforcement  
27 of Support Act, or the Revised Uniform Reciprocal  
28 Enforcement of Support Act.

29 ~~8.~~ 11. "Initiating tribunal" means the authorized  
30 tribunal in an initiating of a state or foreign  
31 country from which a petition or comparable pleading is  
32 forwarded or in which a petition or comparable pleading  
33 is filed or forwarded to another state or foreign  
34 country.

35 12. "Issuing foreign country" means the foreign  
36 country in which a tribunal issues a support order or a  
37 judgment determining parentage of a child.

38 ~~9.~~ 13. "Issuing state" means the state in which a  
39 tribunal issues a support order or ~~renders~~ a judgment  
40 determining parentage of a child.

41 ~~10.~~ 14. "Issuing tribunal" means the tribunal of a  
42 state or foreign country that issues a support order or  
43 renders a judgment determining parentage of a child.

44 ~~11.~~ 15. "Law" includes decisional and statutory  
45 law and rules and regulations having the force of law.

46 ~~12.~~ 16. "Obligee" means any of the following:

47 a. An individual to whom a duty of support is or is  
48 alleged to be owed or in whose favor a support order  
49 ~~has been issued~~ or a judgment determining parentage of  
50 a child has been rendered issued.

1     b. A foreign country, state or political  
2 subdivision of a state to which the rights under a duty  
3 of support or support order have been assigned or which  
4 has independent claims based on financial assistance  
5 provided to an individual obligee in place of child  
6 support.

7     c. An individual seeking a judgment determining  
8 parentage of the individual's child.

9     d. A person that is a creditor in a proceeding  
10 under Article 7.

11     ~~13.~~ 17. "Obligor" means an individual, or the  
12 estate of a decedent, to which any of the following  
13 applies:

14     a. Who owes or is alleged to owe a duty of support.

15     b. Who is alleged but has not been adjudicated to  
16 be a parent of a child.

17     c. Who is liable under a support order.

18     d. Who is a debtor in a proceeding under Article 7.

19     18. "Outside this state" means a location in another  
20 state or a country other than the United States,  
21 whether or not the country is a foreign country.

22     19. "Person" means an individual, corporation,  
23 business trust, estate, trust, partnership, limited  
24 liability company, association, joint venture, public  
25 corporation, government or governmental subdivision,  
26 agency, or instrumentality, or any other legal or  
27 commercial entity.

28     20. "Record" means information that is inscribed on  
29 a tangible medium or that is stored in an electronic or  
30 other medium and is retrievable in perceivable form.

31     ~~14.~~ 21. "Register" means to file in a tribunal  
32 of this state a support order or judgment determining  
33 parentage of a child issued in the appropriate location  
34 for the filing of foreign judgments another state or  
35 foreign country.

36     ~~15.~~ 22. "Registering tribunal" means a tribunal in  
37 which a support order or judgment determining parentage  
38 of a child is registered.

39     ~~16.~~ 23. "Responding state" means a state in which a  
40 proceeding petition or comparable pleading for support  
41 or to determine parentage of a child is filed or to  
42 which a proceeding petition or comparable pleading is  
43 forwarded for filing from an initiating another state  
44 under this chapter or a law or procedure substantially  
45 similar to this chapter, the Uniform Reciprocal  
46 Enforcement of Support Act, or the Revised Uniform  
47 Reciprocal Enforcement of Support Act or foreign  
48 country.

49     ~~17.~~ 24. "Responding tribunal" means the authorized  
50 tribunal in a responding state or foreign country.

1 18. 25. "Spousal support order" means a support  
2 order for a spouse or former spouse of the obligor.  
3 19. 26. "State" means a state of the United  
4 States, the District of Columbia, Puerto Rico, the  
5 United States Virgin Islands, or any territory or  
6 insular possession ~~subject to~~ under the jurisdiction of  
7 the United States. The term includes:  
8 a. ~~An an~~ Indian nation or tribe.  
9 b. ~~A foreign jurisdiction that has enacted a law or~~  
10 ~~established procedures for issuance and enforcement of~~  
11 ~~support orders which are substantially similar to the~~  
12 ~~procedures under this chapter, the Uniform Reciprocal~~  
13 ~~Enforcement of Support Act, or the Revised Uniform~~  
14 ~~Reciprocal Enforcement of Support Act.~~  
15 20. 27. "Support enforcement agency" means a  
16 public official, government entity, or private agency  
17 authorized to ~~seek~~ do any of the following:  
18 a. ~~Enforcement~~ Seek enforcement of support orders  
19 or laws relating to the duty of support.  
20 b. ~~Establishment~~ Seek establishment or modification  
21 of child support.  
22 c. ~~Determination~~ Request determination of parentage  
23 of a child.  
24 d. ~~Location of~~ Attempt to locate obligors or their  
25 assets.  
26 e. Request determination of the controlling child  
27 support order.  
28 21. 28. "Support order" means a judgment, decree,  
29 ~~or~~ order, decision, or directive, whether temporary,  
30 final, or subject to modification, issued in a state  
31 or foreign country for the benefit of a child, a  
32 spouse, or a former spouse, which provides for monetary  
33 support, health care, arrearages, retroactive support,  
34 or reimbursement, and for financial assistance provided  
35 to an individual obligee in place of child support.  
36 The term may include related costs and fees, interest,  
37 income withholding, automatic adjustment, reasonable  
38 attorney's fees, and other relief.  
39 22. 29. "Tribunal" means a court, administrative  
40 agency, or quasi-judicial entity authorized to  
41 establish, enforce, or modify support orders or to  
42 determine parentage of a child.  
43 Sec. \_\_\_\_ . Section 252K.102, Code 2015, is amended  
44 to read as follows:  
45 **252K.102 ~~Tribunals of this state~~ State tribunal and**  
46 **support enforcement agency.**  
47 1. The child support recovery unit when the unit  
48 establishes or modifies an order, upon ratification by  
49 the court, and the court, are the tribunals of this  
50 state.

1 2. The child support recovery unit is the support  
2 enforcement agency of this state.

3 Sec. \_\_\_\_\_. Section 252K.103, Code 2015, is amended  
4 to read as follows:

5 **252K.103 Remedies cumulative.**

6 1. Remedies provided by this chapter are cumulative  
7 and do not affect the availability of remedies under  
8 other law or the recognition of a foreign support order  
9 on the basis of comity.

10 2. This chapter does not do either of the  
11 following:

12 a. Provide the exclusive method of establishing or  
13 enforcing a support order under the law of this state.

14 b. Grant a tribunal of this state jurisdiction to  
15 render judgment or issue an order relating to child  
16 custody or visitation in a proceeding under this  
17 chapter.

18 Sec. \_\_\_\_\_. **NEW SECTION. 252K.104 Application of**  
19 **chapter to resident of foreign country and foreign**  
20 **support proceeding.**

21 1. A tribunal of this state shall apply Articles 1  
22 through 6 and, as applicable, Article 7, to a support  
23 proceeding involving any of the following:

24 a. A foreign support order.

25 b. A foreign tribunal.

26 c. An obligee, obligor, or child residing in a  
27 foreign country.

28 2. A tribunal of this state that is requested to  
29 recognize and enforce a support order on the basis  
30 of comity may apply the procedural and substantive  
31 provisions of Articles 1 through 6.

32 3. Article 7 applies only to a support proceeding  
33 under the convention. In such a proceeding, if a  
34 provision of Article 7 is inconsistent with Articles 1  
35 through 6, Article 7 controls.

36 Sec. \_\_\_\_\_. Section 252K.201, Code 2015, is amended  
37 to read as follows:

38 **252K.201 Bases for jurisdiction over nonresident.**

39 1. In a proceeding to establish, or enforce, ~~or~~  
40 ~~modify~~ a support order or to determine parentage of a  
41 child, a tribunal of this state may exercise personal  
42 jurisdiction over a nonresident individual or the  
43 individual's guardian or conservator if any of the  
44 following applies:

45 ~~1.~~ a. The individual is personally served with  
46 notice within this state.

47 ~~2.~~ b. The individual submits to the jurisdiction  
48 of this state by consent in a record, by entering a  
49 general appearance, or by filing a responsive document  
50 having the effect of waiving any contest to personal

1 jurisdiction.

2 ~~3. c.~~ The individual resided with the child in  
3 this state.

4 ~~4. d.~~ The individual resided in this state and  
5 provided prenatal expenses or support for the child.

6 ~~5. e.~~ The child resides in this state as a result  
7 of the acts or directives of the individual.

8 ~~6. f.~~ The individual engaged in sexual intercourse  
9 in this state and the child may have been conceived by  
10 that act of intercourse.

11 ~~7. g.~~ The individual asserted parentage of a child  
12 in the declaration of paternity registry maintained  
13 in this state by the Iowa department of public health  
14 pursuant to section 144.12A or established paternity by  
15 affidavit under section 252A.3A.

16 ~~8. h.~~ There is any other basis consistent with the  
17 constitutions of this state and the United States for  
18 the exercise of personal jurisdiction.

19 2. The bases of personal jurisdiction set forth  
20 in subsection 1 or in any other law of this state may  
21 not be used to acquire personal jurisdiction for a  
22 tribunal of this state to modify a child support order  
23 of another state unless the requirements of section  
24 252K.611 are met, or, in the case of a foreign support  
25 order, unless the requirements of section 252K.615 are  
26 met.

27 Sec. \_\_\_\_\_. Section 252K.202, Code 2015, is amended  
28 to read as follows:

29 **252K.202 Procedure when exercising Duration of**  
30 **personal jurisdiction over nonresident.**

31 A Personal jurisdiction acquired by a tribunal  
32 of this state exercising personal jurisdiction  
33 over a nonresident under section 252K.201 may apply  
34 section 252K.316 to receive evidence from another  
35 in a proceeding under this chapter or other law of  
36 this state, and section 252K.318 to obtain discovery  
37 through relating to a support order continues as long  
38 as a tribunal of another this state has continuing,  
39 exclusive jurisdiction to modify its order or  
40 continuing jurisdiction to enforce its order as  
41 provided in sections 252K.205, 252K.206, and 252K.211.  
42 In all other respects, articles 3 through 7 do not  
43 apply and the tribunal shall apply the procedural and  
44 substantive law of this state, including the rules on  
45 choice of law other than those established by this  
46 chapter.

47 Sec. \_\_\_\_\_. Section 252K.203, Code 2015, is amended  
48 to read as follows:

49 **252K.203 Initiating and responding tribunal of this**  
50 **state.**

1 Under this chapter, a tribunal of this state may  
2 serve as an initiating tribunal to forward proceedings  
3 to a tribunal of another state, and as a responding  
4 tribunal for proceedings initiated in another state or  
5 foreign country.

6 Sec. \_\_\_\_\_. Section 252K.204, Code 2015, is amended  
7 to read as follows:

8 **252K.204 Simultaneous proceedings in ~~another state~~.**

9 1. A tribunal of this state may exercise  
10 jurisdiction to establish a support order if the  
11 petition or comparable pleading is filed after a  
12 pleading is filed in another state or a foreign country  
13 only if all of the following apply:

14 a. The petition or comparable pleading in this  
15 state is filed before the expiration of the time  
16 allowed in the other state or the foreign country for  
17 filing a responsive pleading challenging the exercise  
18 of jurisdiction by the other state or the foreign  
19 country.

20 b. The contesting party timely challenges the  
21 exercise of jurisdiction in the other state or the  
22 foreign country.

23 c. If relevant, this state is the home state of the  
24 child.

25 2. A tribunal of this state may not exercise  
26 jurisdiction to establish a support order if the  
27 petition or comparable pleading is filed before a  
28 petition or comparable pleading is filed in another  
29 state or a foreign country if all of the following  
30 apply:

31 a. The petition or comparable pleading in the  
32 other state or foreign country is filed before the  
33 expiration of the time allowed in this state for filing  
34 a responsive pleading challenging the exercise of  
35 jurisdiction by this state.

36 b. The contesting party timely challenges the  
37 exercise of jurisdiction in this state.

38 c. If relevant, the other state or foreign country  
39 is the home state of the child.

40 Sec. \_\_\_\_\_. Section 252K.205, Code 2015, is amended  
41 to read as follows:

42 **252K.205 Continuing, exclusive jurisdiction to**  
43 **modify child support order.**

44 1. A tribunal of this state ~~issuing~~ that has issued  
45 a child support order consistent with the law of this  
46 state has and shall exercise continuing, exclusive  
47 jurisdiction ~~over a~~ to modify its child support order  
48 if the order is controlling and any of the following  
49 applies:

50 a. ~~As long as~~ At the time of the filing of a

1 request for modification this state remains is the  
2 residence of the obligor, the individual obligee,  
3 or the child for whose benefit the support order is  
4 issued.

5 ~~b. Until all of the parties who are individuals~~  
6 ~~have filed written consents with the tribunal of~~  
7 ~~Even if this state for a is not the residence of the~~  
8 ~~obligor, the individual obligee, or the child for whose~~  
9 ~~benefit the order is issued, the parties consent in a~~  
10 ~~record or in open court that the tribunal of another~~  
11 ~~this state may continue to exercise jurisdiction to~~  
12 ~~modify the its order and assume continuing, exclusive~~  
13 ~~jurisdiction.~~

14 2. A tribunal of this state issuing that has issued  
15 a child support order consistent with the law of  
16 this state may not exercise its continuing, exclusive  
17 jurisdiction to modify the order if the order has been  
18 modified by a tribunal of another state pursuant to  
19 this chapter or a law substantially similar to this  
20 chapter, any of the following applies:

21 a. All of the parties who are individuals file  
22 consent in a record with the tribunal of this state  
23 that a tribunal of another state that has jurisdiction  
24 over at least one of the parties who is an individual  
25 or that is located in the state of residence of the  
26 child may modify the order and assume continuing,  
27 exclusive jurisdiction.

28 b. Its order is not the controlling order.

29 3. ~~If a child support order of this state is~~  
30 ~~modified by a tribunal of another state has issued a~~  
31 ~~child support order pursuant to this chapter~~  
32 ~~the uniform interstate family support Act or a law~~  
33 ~~substantially similar to this chapter, that Act which~~  
34 ~~modifies a child support order of a tribunal of~~  
35 ~~this state loses its, tribunals of this state shall~~  
36 ~~recognize the continuing, exclusive jurisdiction with~~  
37 ~~regard to prospective enforcement of the order issued~~  
38 ~~in this of the tribunal of the other state, and may~~  
39 ~~only:~~

40 ~~a. Enforce the order that was modified as to~~  
41 ~~amounts accruing before the modification.~~

42 ~~b. Enforce nonmodifiable aspects of that order.~~

43 ~~c. Provide other appropriate relief for violations~~  
44 ~~of that order which occurred before the effective date~~  
45 ~~of the modification.~~

46 4. ~~A tribunal of this state shall recognize the~~  
47 ~~that lacks continuing, exclusive jurisdiction of a to~~  
48 ~~modify a child support order may serve as an initiating~~  
49 ~~tribunal of another state which has issued a child~~  
50 ~~support order pursuant to request a tribunal of another~~



1 ~~state to modify a support order issued in this chapter~~  
2 ~~or a law substantially similar to this chapter that~~  
3 ~~state.~~

4 5. A temporary support order issued ex parte or  
5 pending resolution of a jurisdictional conflict does  
6 not create continuing, exclusive jurisdiction in the  
7 issuing tribunal.

8 ~~6. A tribunal of this state issuing a support order~~  
9 ~~consistent with the law of this state has continuing,~~  
10 ~~exclusive jurisdiction over a spousal support order~~  
11 ~~throughout the existence of the support obligation. A~~  
12 ~~tribunal of this state may not modify a spousal support~~  
13 ~~order issued by a tribunal of another state having~~  
14 ~~continuing, exclusive jurisdiction over that order~~  
15 ~~under the law of that state.~~

16 Sec. \_\_\_\_\_. Section 252K.206, Code 2015, is amended  
17 to read as follows:

18 **252K.206 Enforcement and modification of support**  
19 **order by tribunal having continuing**  
20 **jurisdiction to enforce child support order.**

21 1. A tribunal of this state that has issued a child  
22 support order consistent with the law of this state may  
23 serve as an initiating tribunal to request a tribunal  
24 of another state to enforce ~~or modify a support order~~  
25 issued in that state. any of the following:

26 a. The order if the order is the controlling order  
27 and has not been modified by a tribunal of another  
28 state that assumed jurisdiction pursuant to the uniform  
29 interstate family support Act.

30 b. A money judgment for arrears of support and  
31 interest on the order accrued before a determination  
32 that an order of a tribunal of another state is the  
33 controlling order.

34 2. A tribunal of this state having continuing,  
35 exclusive jurisdiction over a support order may act  
36 as a responding tribunal to enforce ~~or modify the~~  
37 order. ~~If a party subject to the continuing, exclusive~~  
38 ~~jurisdiction of the tribunal no longer resides in the~~  
39 ~~issuing state, in subsequent proceedings the tribunal~~  
40 ~~may apply section 252K.316 to receive evidence from~~  
41 ~~another state and section 252K.318 to obtain discovery~~  
42 ~~through a tribunal of another state.~~

43 3. A tribunal of this state which lacks continuing,  
44 exclusive jurisdiction over a spousal support order may  
45 not serve as a responding tribunal to modify a spousal  
46 support order of another state.

47 Sec. \_\_\_\_\_. Section 252K.207, Code 2015, is amended  
48 to read as follows:

49 **252K.207 Recognition Determination of controlling**  
50 **child support order.**

1 1. If a proceeding is brought under this chapter  
2 and only one tribunal has issued a child support order,  
3 the order of that tribunal controls and must be so  
4 recognized.

5 2. If a proceeding is brought under this chapter,  
6 and two or more child support orders have been issued  
7 by tribunals of this state, ~~or another state, or a~~  
8 foreign country with regard to the same obligor and  
9 same child, a tribunal of this state having personal  
10 jurisdiction over both the obligor and individual  
11 obligee shall apply the following rules in determining  
12 and by order shall determine which order to recognize  
13 for purposes of continuing, exclusive jurisdiction  
14 controls and must be recognized:

15 a. If only one of the tribunals would have  
16 continuing, exclusive jurisdiction under this chapter,  
17 the order of that tribunal controls and ~~must be so~~  
18 ~~recognized.~~

19 b. If more than one of the tribunals would have  
20 continuing, exclusive jurisdiction under this chapter,  
21 an order one of the following shall apply:

22 (1) An order issued by a tribunal in the current  
23 home state of the child controls, and must be so  
24 recognized, but if

25 (2) If an order has not been issued in the current  
26 home state of the child, the order most recently issued  
27 controls and must be so recognized.

28 c. If none of the tribunals would have continuing,  
29 exclusive jurisdiction under this chapter, the tribunal  
30 of this state ~~having jurisdiction over the parties~~  
31 shall issue a child support order, which controls and  
32 ~~must be so recognized.~~

33 3. If two or more child support orders have been  
34 issued for the same obligor and same child and ~~if~~  
35 ~~the obligor or the individual obligee resides in~~  
36 this state, upon request of a party may request who  
37 is an individual or that is a support enforcement  
38 agency, a tribunal of this state to having personal  
39 jurisdiction over both the obligor and the obligee who  
40 is an individual shall determine which order controls  
41 and must be so recognized under subsection 2. The  
42 request must may be accompanied by a certified copy of  
43 every support order in effect. The requesting party  
44 shall give notice of the request to each party whose  
45 rights may be affected by the determination filed with  
46 a registration for enforcement or registration for  
47 modification pursuant to Article 6, or may be filed as  
48 a separate proceeding.

49 4. A request to determine which is the controlling  
50 order must be accompanied by a copy of every child

1 support order in effect and the applicable record of  
2 payments. The requesting party shall give notice of  
3 the request to each party whose rights may be affected  
4 by the determination.

5 5. The tribunal that issued the controlling order  
6 under subsection 1, 2, or 3 is the tribunal that has  
7 continuing, exclusive jurisdiction under to the extent  
8 provided in section 252K.205 or 252K.206.

9 5. 6. A tribunal of this state which that  
10 determines by order the identity of which is the  
11 controlling order under subsection 2, paragraph "a"  
12 or "b" or subsection 3, or which that issues a new  
13 controlling order under subsection 2, paragraph "c",  
14 shall state in that order: the

15 a. The basis upon which the tribunal made its  
16 determination.

17 b. The amount of prospective support, if any.

18 c. The total amount of consolidated arrears and  
19 accrued interest, if any, under all of the orders after  
20 all payments made are credited as provided in section  
21 252K.209.

22 6. 7. Within thirty days after issuance of  
23 an order determining the identity of which is the  
24 controlling order, the party obtaining the order shall  
25 file a certified copy of it with in each tribunal  
26 that issued or registered an earlier order of child  
27 support. A party who obtains or support enforcement  
28 agency obtaining the order and that fails to file a  
29 certified copy is subject to appropriate sanctions by a  
30 tribunal in which the issue of failure to file arises.  
31 The failure to file does not affect the validity or  
32 enforceability of the controlling order.

33 8. An order that has been determined to be the  
34 controlling order, or a judgment for consolidated  
35 arrears of support and interest, if any, made pursuant  
36 to this section must be recognized in proceedings under  
37 this chapter.

38 Sec. \_\_\_\_. Section 252K.208, Code 2015, is amended  
39 to read as follows:

40 **252K.208 ~~Multiple-child~~ Child support orders for two**  
41 **or more obligees.**

42 In responding to ~~multiple~~ registrations or requests  
43 for enforcement of two or more child support orders in  
44 effect at the same time with regard to the same obligor  
45 and different individual obligees, at least one of  
46 which was issued by a tribunal of another state or a  
47 foreign country, a tribunal of this state shall enforce  
48 those orders in the same manner as if the ~~multiple~~  
49 orders had been issued by a tribunal of this state.

50 Sec. \_\_\_\_. Section 252K.209, Code 2015, is amended

1 to read as follows:

2 **252K.209 Credit for payments.**

3 ~~Amounts~~ A tribunal of this state shall credit  
4 amounts collected ~~and credited~~ for a particular period  
5 pursuant to a any child support order against the  
6 amounts owed for the same period under any other child  
7 support order for support of the same child issued by a  
8 tribunal of this state, another state, must be credited  
9 ~~against the amounts accruing or accrued for the same~~  
10 ~~period under a support order issued by the tribunal of~~  
11 ~~this state a foreign country.~~

12 Sec. \_\_\_\_ . **NEW SECTION. 252K.210 Application of**  
13 **chapter to nonresident subject to personal jurisdiction.**

14 A tribunal of this state exercising personal  
15 jurisdiction over a nonresident in a proceeding under  
16 this chapter, under other law of this state relating to  
17 a support order, or recognizing a foreign support order  
18 may receive evidence from outside this state pursuant  
19 to section 252K.316, communicate with a tribunal  
20 outside this state pursuant to section 252K.317, and  
21 obtain discovery through a tribunal outside this state  
22 pursuant to section 252K.318. In all other respects,  
23 Articles 3 through 6 do not apply, and the tribunal  
24 shall apply the procedural and substantive law of this  
25 state.

26 Sec. \_\_\_\_ . **NEW SECTION. 252K.211 Continuing,**  
27 **exclusive jurisdiction to modify spousal support order.**

28 1. A tribunal of this state issuing a spousal  
29 support order consistent with the law of this state  
30 has continuing, exclusive jurisdiction to modify the  
31 spousal support order throughout the existence of the  
32 support obligation.

33 2. A tribunal of this state may not modify a  
34 spousal support order issued by a tribunal of another  
35 state or a foreign country having continuing, exclusive  
36 jurisdiction over that order under the law of that  
37 state or foreign country.

38 3. A tribunal of this state that has continuing,  
39 exclusive jurisdiction over a spousal support order may  
40 serve as any of the following:

41 a. An initiating tribunal to request a tribunal  
42 of another state to enforce the spousal support order  
43 issued in this state.

44 b. A responding tribunal to enforce or modify its  
45 own spousal support order.

46 Sec. \_\_\_\_ . Section 252K.301, Code 2015, is amended  
47 to read as follows:

48 **252K.301 Proceedings under this chapter.**

49 1. Except as otherwise provided in this chapter,  
50 this article applies to all proceedings under this

1 chapter.

2 2. ~~This chapter provides for the following~~  
3 ~~proceedings:~~

4 ~~a. Establishment of an order for spousal support or~~  
5 ~~child support pursuant to article 4.~~

6 ~~b. Enforcement of a support order and income~~  
7 ~~withholding order of another state without registration~~  
8 ~~pursuant to article 5.~~

9 ~~c. Registration of an order for spousal support or~~  
10 ~~child support of another state for enforcement pursuant~~  
11 ~~to article 6.~~

12 ~~d. Modification of an order for child support or~~  
13 ~~spousal support issued by a tribunal of this state~~  
14 ~~pursuant to article 2, part 2.~~

15 ~~e. Registration of an order for child support of~~  
16 ~~another state for modification pursuant to article 6.~~

17 ~~f. Determination of parentage pursuant to article~~  
18 ~~7.~~

19 ~~g. Assertion of jurisdiction over nonresidents~~  
20 ~~pursuant to article 2, part 1.~~

21 3. An individual movant or a support enforcement  
22 agency may ~~commence~~ initiate a proceeding authorized  
23 under this chapter by filing a petition or a comparable  
24 pleading in an initiating tribunal for forwarding to  
25 a responding tribunal or by filing a petition or a  
26 comparable pleading directly in a tribunal of another  
27 state or a foreign country which has or can obtain  
28 personal jurisdiction over the respondent or nonmoving  
29 party.

30 Sec. \_\_\_\_\_. Section 252K.302, Code 2015, is amended  
31 to read as follows:

32 **252K.302 Action Proceeding by minor parent.**

33 A minor parent, or a guardian or other legal  
34 representative of a minor parent, may maintain a  
35 proceeding on behalf of or for the benefit of the  
36 minor's child.

37 Sec. \_\_\_\_\_. Section 252K.303, Code 2015, is amended  
38 to read as follows:

39 **252K.303 Application of law of this state.**

40 Except as otherwise provided by this chapter, a  
41 responding tribunal of this state shall do all of the  
42 following:

43 1. Apply the procedural and substantive law,  
44 ~~including the rules on choice of law,~~ generally  
45 applicable to similar proceedings originating in this  
46 state, and may exercise all powers and provide all  
47 remedies available in those proceedings.

48 2. Determine the duty of support and the amount  
49 payable in accordance with the law and support  
50 guidelines of this state.

1 Sec. \_\_\_\_\_. Section 252K.304, Code 2015, is amended  
2 to read as follows:

3 **252K.304 Duties of initiating tribunal.**

4 1. Upon the filing of a petition or comparable  
5 pleading authorized by this chapter, an initiating  
6 tribunal of this state shall forward ~~three copies~~  
7 ~~of~~ the petition or comparable pleading and its  
8 accompanying documents:

9 a. To the responding tribunal or appropriate  
10 support enforcement agency in the responding state.

11 b. If the identity of the responding tribunal  
12 is unknown, to the state information agency of the  
13 responding state with a request that they be forwarded  
14 to the appropriate tribunal and that receipt be  
15 acknowledged.

16 2. If a requested by the responding state has not  
17 enacted this law or a law or procedure substantially  
18 similar to this chapter, a tribunal, a tribunal of this  
19 state may shall issue a certificate or other document  
20 and make findings required by the law of the responding  
21 state. If the responding state tribunal is in a  
22 foreign jurisdiction country, upon request the tribunal  
23 may of this state shall specify the amount of support  
24 sought, convert that amount into the equivalent amount  
25 in the foreign currency under applicable official  
26 or market exchange rates as publicly reported, and  
27 provide any other documents necessary to satisfy the  
28 requirements of the responding state foreign tribunal.

29 Sec. \_\_\_\_\_. Section 252K.305, Code 2015, is amended  
30 to read as follows:

31 **252K.305 Duties and powers of responding tribunal.**

32 1. When a responding tribunal of this state  
33 receives a petition or comparable pleading from an  
34 initiating tribunal or directly pursuant to section  
35 252K.301, subsection ~~3~~ 2, it shall cause the petition  
36 or pleading to be filed and notify the movant where and  
37 when it was filed.

38 2. A responding tribunal of this state, to the  
39 extent ~~otherwise authorized~~ not prohibited by other  
40 law, may do one or more of the following:

41 a. ~~Issue~~ Establish or enforce a support order,  
42 modify a child support order, determine the controlling  
43 child support order, or render a judgment to determine  
44 parentage of a child.

45 b. Order an obligor to comply with a support order,  
46 specifying the amount and the manner of compliance.

47 c. Order income withholding.

48 d. Determine the amount of any arrearages, and  
49 specify a method of payment.

50 e. Enforce orders by civil or criminal contempt,

1 or both.

2 *f.* Set aside property for satisfaction of the  
3 support order.

4 *g.* Place liens and order execution on the obligor's  
5 property.

6 *h.* Order an obligor to keep the tribunal informed  
7 of the obligor's current residential address,  
8 electronic mail address, telephone number, employer,  
9 address of employment, and telephone number at the  
10 place of employment.

11 *i.* Issue a bench warrant for an obligor who has  
12 failed after proper notice to appear at a hearing  
13 ordered by the tribunal and enter the bench warrant  
14 in any local and state computer systems for criminal  
15 warrants.

16 *j.* Order the obligor to seek appropriate employment  
17 by specified methods.

18 *k.* Award reasonable attorney's fees and other fees  
19 and costs.

20 *l.* Grant any other available remedy.

21 3. A responding tribunal of this state shall  
22 include in a support order issued under this chapter,  
23 or in the documents accompanying the order, the  
24 calculations on which the support order is based.

25 4. A responding tribunal of this state may not  
26 condition the payment of a support order issued under  
27 this chapter upon compliance by a party with provisions  
28 for visitation.

29 5. If a responding tribunal of this state issues  
30 an order under this chapter, the tribunal shall send a  
31 copy of the order to the movant and the respondent and  
32 to the initiating tribunal, if any.

33 6. If requested to enforce a support order,  
34 arrears, or judgment or modify a support order stated  
35 in a foreign currency, a responding tribunal of this  
36 state shall convert the amount stated in the foreign  
37 currency to the equivalent amount in dollars under the  
38 applicable official or market exchange rate as publicly  
39 reported.

40 Sec. \_\_\_\_\_. Section 252K.306, Code 2015, is amended  
41 to read as follows:

42 **252K.306 Inappropriate tribunal.**

43 If a petition or comparable pleading is received  
44 by an inappropriate tribunal of this state, ~~it~~ the  
45 tribunal shall forward the pleading and accompanying  
46 documents to an appropriate tribunal ~~in~~ of this state  
47 or another state and notify the movant where and when  
48 the pleading was sent.

49 Sec. \_\_\_\_\_. Section 252K.307, Code 2015, is amended  
50 to read as follows:

1       **252K.307 Duties of support enforcement agency.**

2       1. A In a proceeding under this chapter, a support  
3 enforcement agency of this state, upon request, shall:

4       a. Shall provide services to a movant in a  
5 proceeding under this chapter residing in a state.

6       b. Shall provide services to a movant requesting  
7 services through a central authority of a foreign  
8 country as described in section 252K.101, subsection 5,  
9 paragraph "a" or "d".

10       c. May provide services to a movant who is an  
11 individual not residing in a state.

12       2. A support enforcement agency of this state that  
13 is providing services to the movant as appropriate  
14 shall:

15       a. Take all steps necessary to enable an  
16 appropriate tribunal in of this state, or another  
17 state, or a foreign country to obtain jurisdiction over  
18 the respondent.

19       b. Request an appropriate tribunal to set a date,  
20 time, and place for a hearing.

21       c. Make a reasonable effort to obtain all relevant  
22 information, including information as to income and  
23 property of the parties.

24       d. Within five ten days, exclusive of Saturdays,  
25 Sundays, and legal holidays, after receipt of a written  
26 notice in a record from an initiating, responding, or  
27 registering tribunal, send a copy of the notice to the  
28 movant.

29       e. Within five ten days, exclusive of Saturdays,  
30 Sundays, and legal holidays, after receipt of a written  
31 communication in a record from the respondent or the  
32 respondent's attorney, send a copy of the communication  
33 to the movant.

34       f. Notify the movant if jurisdiction over the  
35 respondent cannot be obtained.

36       3. A support enforcement agency of this state that  
37 requests registration of a child support order in this  
38 state for enforcement or for modification shall make  
39 reasonable efforts to do either of the following:

40       a. To ensure that the order to be registered is the  
41 controlling order.

42       b. If two or more child support orders exist  
43 and the identity of the controlling order has not  
44 been determined, to ensure that a request for such  
45 determination is made in a tribunal having jurisdiction  
46 to do so.

47       4. A support enforcement agency of this state that  
48 requests registration and enforcement of a support  
49 order, arrears, or judgment stated in a foreign  
50 currency shall convert the amounts stated in the



1 foreign currency into the equivalent amounts in dollars  
2 under the applicable official or market exchange rate  
3 as publicly reported.

4 5. A support enforcement agency of this state shall  
5 issue or request a tribunal of this state to issue a  
6 child support order and an income withholding order  
7 that redirect payment of current support, arrears, and  
8 interest if requested to do so by a support enforcement  
9 agency of another state pursuant to section 252K.319.

10 6. This chapter does not create or negate a  
11 relationship of attorney and client or other fiduciary  
12 relationship between a support enforcement agency or  
13 the attorney for the agency and the individual being  
14 assisted by the agency.

15 Sec. \_\_\_\_\_. Section 252K.308, Code 2015, is amended  
16 to read as follows:

17 **252K.308 Duty of attorney general.**

18 1. If the attorney general determines that the  
19 support enforcement agency is neglecting or refusing to  
20 provide services to an individual, the attorney general  
21 may order the agency to perform its duties under this  
22 chapter or may provide those services directly to the  
23 individual.

24 2. The attorney general may determine that  
25 a foreign country has established a reciprocal  
26 arrangement for child support with this state and  
27 take appropriate action for notification of the  
28 determination.

29 Sec. \_\_\_\_\_. Section 252K.310, Code 2015, is amended  
30 to read as follows:

31 **252K.310 Duties of state information agency.**

32 1. The child support recovery unit is the state  
33 information agency under this chapter.

34 2. The state information agency shall:

35 a. Compile and maintain a current list, including  
36 addresses, of the tribunals in this state which  
37 have jurisdiction under this chapter and any support  
38 enforcement agencies in this state and transmit a copy  
39 to the state information agency of every other state.

40 b. Maintain a register of names and addresses of  
41 tribunals and support enforcement agencies received  
42 from other states.

43 c. Forward to the appropriate tribunal in the place  
44 in this state in which the ~~individual~~ obligee who is  
45 an individual or the obligor resides, or in which  
46 the obligor's property is believed to be located, all  
47 documents concerning a proceeding under this chapter  
48 received from an ~~initiating tribunal or the state~~  
49 ~~information agency of the initiating state~~ another  
50 state or a foreign country.

1 d. Obtain information concerning the location  
2 of the obligor and the obligor's property within  
3 this state not exempt from execution, by such means  
4 as postal verification and federal or state locator  
5 services, examination of telephone directories,  
6 requests for the obligor's address from employers, and  
7 examination of governmental records, including, to the  
8 extent not prohibited by other law, those relating  
9 to real property, vital statistics, law enforcement,  
10 taxation, motor vehicles, driver's licenses, and social  
11 security.

12 Sec. \_\_\_\_\_. Section 252K.311, Code 2015, is amended  
13 to read as follows:

14 **252K.311 Pleadings and accompanying documents.**

15 1. A In a proceeding under this chapter, a movant  
16 seeking to establish a support order, to determine  
17 parentage of a child, or to register and modify a  
18 support order of a tribunal of another state or to  
19 determine parentage in a proceeding under this chapter  
20 a foreign country must verify the file a petition or  
21 comparable pleading. Unless otherwise ordered under  
22 section 252K.312, the petition, comparable pleading, or  
23 accompanying documents must provide, so far as known,  
24 the name, residential address, and social security  
25 numbers of the obligor and the obligee or the parent  
26 and alleged parent, and the name, sex, residential  
27 address, social security number, and date of birth of  
28 each child for whom whose benefit support is sought or  
29 whose parentage is to be determined. The Unless filed  
30 at the time of registration, the petition or comparable  
31 pleading must be accompanied by a certified copy of any  
32 support order in effect known to have been issued by  
33 another tribunal. The petition or comparable pleading  
34 may include any other information that may assist in  
35 locating or identifying the respondent.

36 2. The petition or comparable pleading must  
37 specify the relief sought. The petition or comparable  
38 pleading and accompanying documents shall must conform  
39 substantially with the requirements imposed by the  
40 forms mandated by federal law for use in cases filed by  
41 a support enforcement agency.

42 Sec. \_\_\_\_\_. Section 252K.312, Code 2015, is amended  
43 to read as follows:

44 **252K.312 Nondisclosure of information in exceptional**  
45 **circumstances.**

46 ~~Upon a finding, which may be made ex parte, If a~~  
47 party alleges in an affidavit or a pleading under oath  
48 that the health, safety, or liberty of a party or child  
49 would be unreasonably put at risk jeopardized by the  
50 disclosure of specific identifying information, or

1 ~~if an existing order so provides, a tribunal shall~~  
2 ~~order that the address of the child or party or other~~  
3 ~~identifying information must be sealed and may not be~~  
4 ~~disclosed to the other party or the public. After a~~  
5 ~~hearing in a pleading or other document filed in a~~  
6 ~~proceeding under this chapter which a tribunal takes~~  
7 ~~into consideration the health, safety, or liberty of~~  
8 ~~the party or child, the tribunal may order disclosure~~  
9 ~~of information that the tribunal determines to be in~~  
10 ~~the interest of justice.~~

11 Sec. \_\_\_\_\_. Section 252K.313, Code 2015, is amended  
12 to read as follows:

13 **252K.313 Costs and fees.**

14 1. The movant ~~shall~~ may not be required to pay a  
15 filing fee or other costs.

16 2. If an obligee prevails, a responding tribunal of  
17 this state may assess against an obligor filing fees,  
18 reasonable attorney fees, other costs, and necessary  
19 travel and other reasonable expenses incurred by the  
20 obligee and the obligee's witnesses. The tribunal  
21 may not assess fees, costs, or expenses against the  
22 obligee or the support enforcement agency of either the  
23 initiating or the responding state or foreign country,  
24 except as provided by other law. Attorney fees may be  
25 taxed as costs, and may be ordered paid directly to the  
26 attorney, who may enforce the order in the attorney's  
27 own name. Payment of support owed to the obligee has  
28 priority over fees, costs, and expenses.

29 3. The tribunal shall order the payment of costs  
30 and reasonable attorney's fees if ~~the tribunal it~~  
31 determines that a hearing was requested primarily for  
32 delay. In a proceeding under ~~artiele~~ Article 6, a  
33 hearing is presumed to have been requested primarily  
34 for delay if a registered support order is confirmed  
35 or enforced without change.

36 Sec. \_\_\_\_\_. Section 252K.314, Code 2015, is amended  
37 to read as follows:

38 **252K.314 Limited immunity of movant.**

39 1. Participation by a movant in a proceeding under  
40 this chapter before a responding tribunal, whether  
41 in person, by private attorney, or through services  
42 provided by the support enforcement agency, does not  
43 confer personal jurisdiction over the movant in another  
44 proceeding.

45 2. A movant is not amenable to service of civil  
46 process while physically present in this state to  
47 participate in a proceeding under this chapter.

48 3. The immunity granted by this section does not  
49 extend to civil litigation based on acts unrelated to  
50 a proceeding under this chapter committed by a party

1 while physically present in this state to participate  
2 in the proceeding.

3 Sec. \_\_\_\_\_. Section 252K.316, Code 2015, is amended  
4 to read as follows:

5 **252K.316 Special rules of evidence and procedure.**

6 1. The physical presence of ~~the movant a~~  
7 nonresident party who is an individual in a responding  
8 tribunal of this state is not required for the  
9 establishment, enforcement, or modification of  
10 a support order or the rendition of a judgment  
11 determining parentage of a child.

12 2. ~~A verified petition,~~ An affidavit, a document  
13 substantially complying with federally mandated forms,  
14 and or a document incorporated by reference in any of  
15 them, which would not be excluded under the hearsay  
16 rule if given in person, is admissible in evidence  
17 if given under oath penalty of perjury by a party or  
18 witness residing in another outside this state.

19 3. A copy of the record of child support payments  
20 certified as a true copy of the original by the  
21 custodian of the record may be forwarded to a  
22 responding tribunal. The copy is evidence of facts  
23 asserted in it, and is admissible to show whether  
24 payments were made.

25 4. Copies of bills for testing for parentage of a  
26 child, and for prenatal and postnatal health care of  
27 the mother and child, furnished to the adverse party at  
28 least ten days before trial, are admissible in evidence  
29 to prove the amount of the charges billed and that the  
30 charges were reasonable, necessary, and customary.

31 5. Documentary evidence transmitted from ~~another~~  
32 outside this state to a tribunal of this state by  
33 telephone, telecopier, or other electronic means that  
34 do not provide an original writing record may not be  
35 excluded from evidence on an objection based on the  
36 means of transmission.

37 6. In a proceeding under this chapter, a tribunal  
38 of this state ~~may~~ shall permit a party or witness  
39 residing in another outside this state to be deposed  
40 or to testify under penalty of perjury by telephone,  
41 audiovisual means, or other electronic means at a  
42 designated tribunal or other location ~~in that state.~~  
43 A tribunal of this state shall cooperate with other  
44 tribunals of other states in designating an appropriate  
45 location for the deposition or testimony.

46 7. If a party called to testify at a civil hearing  
47 refuses to answer on the ground that the testimony may  
48 be self incriminating, the trier of fact may draw an  
49 adverse inference from the refusal.

50 8. A privilege against disclosure of communications

1 between spouses does not apply in a proceeding under  
2 this chapter.

3 9. The defense of immunity based on the  
4 relationship of husband and wife or parent and child  
5 does not apply in a proceeding under this chapter.

6 10. A voluntary acknowledgment of paternity,  
7 certified as a true copy, is admissible to establish  
8 parentage of a child.

9 Sec. \_\_\_\_\_. Section 252K.317, Code 2015, is amended  
10 to read as follows:

11 **252K.317 Communications between tribunals.**

12 A tribunal of this state may communicate with a  
13 tribunal of another outside this state in writing a  
14 record, or by telephone, electronic mail, or other  
15 means, to obtain information concerning the laws of  
16 that state, the legal effect of a judgment, decree, or  
17 order of that tribunal, and the status of a proceeding  
18 in the other state. A tribunal of this state may  
19 furnish similar information by similar means to a  
20 tribunal of another outside this state.

21 Sec. \_\_\_\_\_. Section 252K.318, Code 2015, is amended  
22 to read as follows:

23 **252K.318 Assistance with discovery.**

24 A tribunal of this state may:

25 1. Request a tribunal of another outside this state  
26 to assist in obtaining discovery.

27 2. Upon request, compel a person over whom which it  
28 has jurisdiction to respond to a discovery order issued  
29 by a tribunal of another outside this state.

30 Sec. \_\_\_\_\_. Section 252K.319, Code 2015, is amended  
31 to read as follows:

32 **252K.319 Receipt and disbursement of payments.**

33 1. A support enforcement agency or tribunal of this  
34 state shall disburse promptly any amounts received  
35 pursuant to a support order, as directed by the order.  
36 The agency or tribunal shall furnish to a requesting  
37 party or a tribunal of another state or a foreign  
38 country a certified statement by the custodian of  
39 the record of the amounts and dates of all payments  
40 received.

41 2. If neither the obligor, nor the obligee who is  
42 an individual, nor the child resides in this state,  
43 upon request from the support enforcement agency of  
44 this state or another state, the child support recovery  
45 unit or a tribunal of this state shall:

46 a. Direct that the support payment be made to the  
47 support enforcement agency in the state in which the  
48 obligee is receiving services.

49 b. Issue and send to the obligor's employer  
50 a conforming income withholding order or an

1 administrative notice of change of payee, reflecting  
2 the redirected payments.

3 3. The support enforcement agency of this state  
4 receiving redirected payments from another state  
5 pursuant to a law similar to subsection 2 shall furnish  
6 to a requesting party or tribunal of the other state a  
7 certified statement by the custodian of the record of  
8 the amount and dates of all payments received.

9 Sec. \_\_\_\_. Section 252K.401, Code 2015, is amended  
10 to read as follows:

11 **252K.401 ~~Petition to establish~~ Establishment of**  
12 **support order.**

13 1. If a support order entitled to recognition  
14 under this chapter has not been issued, a responding  
15 tribunal of this state with personal jurisdiction over  
16 the parties may issue a support order if any of the  
17 following applies:

18 a. The individual seeking the order resides in  
19 another outside this state.

20 b. The support enforcement agency seeking the order  
21 is located in another outside this state.

22 2. The tribunal may issue a temporary child support  
23 order if the tribunal determines that such an order is  
24 appropriate and the individual ordered to pay is any  
25 of the following applies:

26 a. ~~The respondent has signed a verified statement~~  
27 ~~acknowledging parentage~~ A presumed father of the child.

28 b. ~~The respondent has been determined by or~~  
29 ~~pursuant~~ Petitioning to law to be the parent have his  
30 paternity adjudicated.

31 c. ~~There is other clear and convincing evidence~~  
32 ~~that the respondent is the child's parent~~ Identified as  
33 the father of the child through genetic testing.

34 d. An alleged father who has declined to submit to  
35 genetic testing.

36 e. Shown by clear and convincing evidence to be the  
37 father of the child.

38 f. An acknowledged father as provided by section  
39 252A.3A.

40 g. The mother of the child.

41 h. An individual who has been ordered to pay child  
42 support in a previous proceeding and the order has been  
43 reversed or vacated.

44 3. Upon finding, after notice and opportunity to  
45 be heard, that an obligor owes a duty of support, the  
46 tribunal shall issue a support order directed to the  
47 obligor and may issue other orders pursuant to section  
48 252K.305.

49 Sec. \_\_\_\_. **NEW SECTION. 252K.402 Proceeding to**  
50 **determine parentage.**

1 A tribunal of this state authorized to determine  
2 parentage of a child may serve as a responding tribunal  
3 in a proceeding to determine parentage of a child  
4 brought under this chapter or a law or procedure  
5 substantially similar to this chapter.

6 Sec. \_\_\_\_\_. Section 252K.501, Code 2015, is amended  
7 to read as follows:

8 **252K.501 Employer's receipt of income withholding**  
9 **order of another state.**

10 An income withholding order issued in another state  
11 may be sent by or on behalf of the obligee, or by the  
12 support enforcement agency, to the person ~~or entity~~  
13 defined as the obligor's employer under the income  
14 withholding law of this state without first filing a  
15 petition or comparable pleading or registering the  
16 order with a tribunal of this state.

17 Sec. \_\_\_\_\_. Section 252K.502, subsection 3, paragraph  
18 b, Code 2015, is amended to read as follows:

19 *b.* The person ~~or agency~~ designated to receive  
20 payments and the address to which the payments are to  
21 be forwarded.

22 Sec. \_\_\_\_\_. Section 252K.503, Code 2015, is amended  
23 to read as follows:

24 **252K.503 ~~Compliance~~ Employer's compliance with**  
25 **multiple two or more income withholding orders.**

26 If an obligor's employer receives multiple two  
27 or more income withholding orders with respect  
28 to the earnings of the same obligor, the employer  
29 satisfies the terms of the ~~multiple~~ orders if the  
30 employer complies with the law of the state of the  
31 obligor's principal place of employment to establish  
32 the priorities for withholding and allocating income  
33 withheld for multiple two or more child support  
34 obligees.

35 Sec. \_\_\_\_\_. Section 252K.504, Code 2015, is amended  
36 to read as follows:

37 **252K.504 Immunity from civil liability.**

38 An employer ~~who~~ that complies with an income  
39 withholding order issued in another state in accordance  
40 with this article is not subject to civil liability to  
41 an individual or agency with regard to the employer's  
42 withholding of child support from the obligor's income.

43 Sec. \_\_\_\_\_. Section 252K.505, Code 2015, is amended  
44 to read as follows:

45 **252K.505 Penalties for noncompliance.**

46 An employer ~~who~~ that willfully fails to comply with  
47 an income withholding order issued by in another state  
48 and received for enforcement is subject to the same  
49 penalties that may be imposed for noncompliance with an  
50 order issued by a tribunal of this state.

1     Sec. \_\_\_\_\_. Section 252K.506, Code 2015, is amended  
2 to read as follows:

3     **252K.506 Contest by obligor.**

4     1. An obligor may contest the validity or  
5 enforcement of an income withholding order issued in  
6 another state and received directly by an employer  
7 in this state by registering the order in a tribunal  
8 of this state and filing a contest to that order as  
9 provided in Article 6, or otherwise contesting the  
10 order in the same manner as if the order had been  
11 issued by a tribunal of this state. ~~Section 252K.604~~  
12 ~~applies to the contest.~~

13     2. The obligor shall give notice of the contest to:

14     a. A support enforcement agency providing services  
15 to the obligee.

16     b. Each employer that has directly received an  
17 income withholding order relating to the obligor.

18     c. The person ~~or agency~~ designated to receive  
19 payments in the income withholding order, or if no  
20 person ~~or agency~~ is designated, to the obligee.

21     Sec. \_\_\_\_\_. Section 252K.507, subsection 1, Code  
22 2015, is amended to read as follows:

23     1. A party or support enforcement agency seeking to  
24 enforce a support order or an income withholding order,  
25 or both, issued by a tribunal of in another state or a  
26 foreign support order may send the documents required  
27 for registering the order to a support enforcement  
28 agency of this state.

29     Sec. \_\_\_\_\_. Section 252K.601, Code 2015, is amended  
30 to read as follows:

31     **252K.601 Registration of order for enforcement.**

32     A support order or ~~an~~ income withholding order  
33 issued by a tribunal of in another state or a foreign  
34 support order may be registered in this state for  
35 enforcement.

36     Sec. \_\_\_\_\_. Section 252K.602, Code 2015, is amended  
37 to read as follows:

38     **252K.602 Procedure to register order for**  
39 **enforcement.**

40     1. A Except as otherwise provided in section  
41 252K.706, a support order or income withholding order  
42 of another state or a foreign support order may be  
43 registered in this state by sending the following  
44 ~~documents and information~~ records to the appropriate  
45 tribunal in this state:

46     a. A letter of transmittal to the tribunal  
47 requesting registration and enforcement.

48     b. Two copies, including one certified copy, of  
49 ~~all orders~~ the order to be registered, including any  
50 modification of ~~an~~ the order.



1 c. A sworn statement by the ~~party seeking person~~  
2 requesting registration or a certified statement by  
3 the custodian of the records showing the amount of any  
4 arrearage.

5 d. The name of the obligor and, if known:

6 (1) The obligor's address and social security  
7 number.

8 (2) The name and address of the obligor's employer  
9 and any other source of income of the obligor.

10 (3) A description and the location of property of  
11 the obligor in this state not exempt from execution.

12 e. The Except as otherwise provided in section  
13 252K.312, the name and address of the obligee and,  
14 if applicable, the agency or person to whom support  
15 payments are to be remitted.

16 2. On receipt of a request for registration, the  
17 registering tribunal shall cause the order to be filed  
18 as an order of a tribunal of another state or a foreign  
19 judgment support order, together with one copy of the  
20 documents and information, regardless of their form.

21 3. A petition or comparable pleading seeking a  
22 remedy that must be affirmatively sought under other  
23 law of this state may be filed at the same time as the  
24 request for registration or later. The pleading must  
25 specify the grounds for the remedy sought.

26 4. If two or more orders are in effect, the person  
27 requesting registration shall:

28 a. Furnish to the tribunal a copy of every support  
29 order asserted to be in effect in addition to the  
30 documents specified in this section.

31 b. Specify the order alleged to be the controlling  
32 order, if any.

33 c. Specify the amount of consolidated arrears, if  
34 any.

35 5. A request for determination of which is the  
36 controlling order may be filed separately or with  
37 a request for registration and enforcement or for  
38 registration and modification. The person requesting  
39 registration shall give notice of the request to  
40 each party whose rights may be affected by the  
41 determination.

42 Sec. \_\_\_\_ . Section 252K.603, Code 2015, is amended  
43 to read as follows:

44 **252K.603 Effect of registration for enforcement.**

45 1. A support order or income withholding order  
46 issued in another state or a foreign support order is  
47 registered when the order is filed in the registering  
48 tribunal of this state.

49 2. A registered support order issued in another  
50 state or a foreign country is enforceable in the same

1 manner and is subject to the same procedures as an  
2 order issued by a tribunal of this state.

3 3. Except as otherwise provided in this article  
4 chapter, a tribunal of this state shall recognize and  
5 enforce, but may not modify, a registered support order  
6 if the issuing tribunal had jurisdiction.

7 Sec. \_\_\_\_\_. Section 252K.604, Code 2015, is amended  
8 to read as follows:

9 **252K.604 Choice of law.**

10 1. ~~The~~ Except as otherwise provided in subsection  
11 4, the law of the issuing state or foreign country  
12 governs the:

13 a. The nature, extent, amount, and duration of  
14 current payments and other obligations of under a  
15 registered support and the order.

16 b. The computation and payment of arrearages and  
17 accrual of interest on the arrearages under the support  
18 order.

19 c. The existence and satisfaction of other  
20 obligations under the support order.

21 2. In a proceeding for arrearages arrears under  
22 a registered support order, the statute of limitation  
23 under the laws of this state or of the issuing state or  
24 foreign country, whichever is longer, applies.

25 3. A responding tribunal of this state shall apply  
26 the procedures and remedies of this state to enforce  
27 current support and collect arrears and interest due on  
28 a support order of another state or a foreign country  
29 registered in this state.

30 4. After a tribunal of this state or another state  
31 determines which is the controlling order and issues  
32 an order consolidating arrears, if any, a tribunal of  
33 this state shall prospectively apply the law of the  
34 state or foreign country issuing the controlling order,  
35 including its law on interest on arrears, on current  
36 and future support, and on consolidated arrears.

37 Sec. \_\_\_\_\_. Section 252K.605, Code 2015, is amended  
38 to read as follows:

39 **252K.605 Notice of registration of order.**

40 1. When a support order or income withholding order  
41 issued in another state or a foreign support order  
42 is registered, the registering tribunal of this state  
43 shall notify the nonregistering party. The notice must  
44 be accompanied by a copy of the registered order and  
45 the documents and relevant information accompanying the  
46 order.

47 2. ~~The~~ A notice must inform the nonregistering  
48 party:

49 a. That a registered support order is enforceable  
50 as of the date of registration in the same manner as an

1 order issued by a tribunal of this state.  
2 *b.* That a hearing to contest the validity or  
3 enforcement of the registered order must be requested  
4 within twenty days after ~~the date of mailing or~~  
5 ~~personal service of the notice unless the registered~~  
6 ~~order is contested under section 252K.707.~~  
7 *c.* That failure to contest the validity or  
8 enforcement of the registered order in a timely  
9 manner will result in confirmation of the order and  
10 enforcement of the order and the alleged arrearages and  
11 ~~precludes further contest of that order with respect to~~  
12 ~~any matter that could have been asserted.~~  
13 *d.* Of the amount of any alleged arrearages.  
14 3. If the registering party asserts that two or  
15 more orders are in effect, a notice must also:  
16 *a.* Identify the two or more orders and the order  
17 alleged by the registering party to be the controlling  
18 order and the consolidated arrears, if any.  
19 *b.* Notify the nonregistering party of the right to  
20 a determination of which is the controlling order.  
21 *c.* State that the procedures provided in subsection  
22 2 apply to the determination of which is the  
23 controlling order.  
24 *d.* State that failure to contest the validity or  
25 enforcement of the order alleged to be the controlling  
26 order in a timely manner may result in confirmation  
27 that the order is the controlling order.  
28 4. Upon registration of an income withholding order  
29 for enforcement, the support enforcement agency or  
30 the registering tribunal shall notify the obligor's  
31 employer pursuant to the income withholding law of this  
32 state.  
33 Sec. \_\_\_\_\_. Section 252K.606, Code 2015, is amended  
34 to read as follows:  
35 **252K.606 Procedure to contest validity or**  
36 **enforcement of registered support order.**  
37 1. A nonregistering party seeking to contest the  
38 validity or enforcement of a registered support order  
39 in this state shall request a hearing within ~~twenty~~  
40 ~~days after the date of mailing or personal service~~  
41 ~~of notice of the registration~~ the time required by  
42 section 252K.605. The nonregistering party may seek to  
43 vacate the registration, to assert any defense to an  
44 allegation of noncompliance with the registered order,  
45 or to contest the remedies being sought or the amount  
46 of any alleged arrearages pursuant to section 252K.607.  
47 2. If the nonregistering party fails to contest the  
48 validity or enforcement of the registered order in a  
49 timely manner, the order is confirmed by operation of  
50 law.

1 3. If a nonregistering party requests a hearing to  
2 contest the validity or enforcement of the registered  
3 support order, the registering tribunal shall schedule  
4 the matter for hearing and give notice to the parties  
5 of the date, time, and place of the hearing.

6 Sec. \_\_\_\_\_. Section 252K.607, Code 2015, is amended  
7 to read as follows:

8 **252K.607 Contest of registration or enforcement.**

9 1. A party contesting the validity or enforcement  
10 of a registered support order or seeking to vacate the  
11 registration has the burden of proving one or more of  
12 the following defenses:

13 a. The issuing tribunal lacked personal  
14 jurisdiction over the contesting party.

15 b. The order was obtained by fraud.

16 c. The order has been vacated, suspended, or  
17 modified by a later order.

18 d. The issuing tribunal has stayed the order  
19 pending appeal.

20 e. There is a defense under the law of this state  
21 to the remedy sought.

22 f. Full or partial payment has been made.

23 g. The statute of limitation under section 252K.604  
24 precludes enforcement of some or all of the alleged  
25 arrearages.

26 h. The alleged controlling order is not the  
27 controlling order.

28 2. If a party presents evidence establishing  
29 a full or partial defense under subsection 1, a  
30 tribunal may stay enforcement of ~~the~~ a registered  
31 support order, continue the proceeding to permit  
32 production of additional relevant evidence, and issue  
33 other appropriate orders. An uncontested portion of  
34 the registered support order may be enforced by all  
35 remedies available under the law of this state.

36 3. If the contesting party does not establish  
37 a defense under subsection 1 to the validity or  
38 enforcement of ~~the~~ a registered support order, the  
39 registering tribunal shall issue an order confirming  
40 the order.

41 Sec. \_\_\_\_\_. Section 252K.608, Code 2015, is amended  
42 to read as follows:

43 **252K.608 Confirmed order.**

44 Confirmation of a registered support order, whether  
45 by operation of law or after notice and hearing,  
46 precludes further contest of the order with respect to  
47 any matter that could have been asserted at the time  
48 of registration.

49 Sec. \_\_\_\_\_. Section 252K.609, Code 2015, is amended  
50 to read as follows:

1       **252K.609 Procedure to register child support order**  
2 **of another state for modification.**

3       A party or support enforcement agency seeking to  
4 modify, or to modify and enforce, a child support order  
5 issued in another state shall register that order  
6 in this state in the same manner provided in ~~part 1~~  
7 sections 252K.601 through 252K.608 if the order has not  
8 been registered. A petition or comparable pleading for  
9 modification may be filed at the same time as a request  
10 for registration, or later. The pleading must specify  
11 the grounds for modification.

12       Sec. \_\_\_\_\_. Section 252K.610, Code 2015, is amended  
13 to read as follows:

14       **252K.610 Effect of registration for modification.**

15       A tribunal of this state may enforce a child support  
16 order of another state registered for purposes of  
17 modification, in the same manner as if the order  
18 had been issued by a tribunal of this state, but the  
19 registered support order may be modified only if the  
20 requirements of section 252K.611 or 252K.613 have been  
21 met.

22       Sec. \_\_\_\_\_. Section 252K.611, Code 2015, is amended  
23 to read as follows:

24       **252K.611 Modification of child support order of**  
25 **another state.**

26       1. ~~After~~ If section 252K.613 does not apply, upon  
27 petition or comparable pleading, a tribunal of this  
28 state may modify a child support order issued in  
29 another state has been which is registered in this  
30 state, the responding tribunal of this state may modify  
31 that order only if section 252K.613 does not apply and  
32 after notice and hearing it the tribunal finds that  
33 paragraph "a" or "b" applies:

34       a. The following requirements are met:

35       (1) ~~The~~ Neither the child, nor the individual  
36 obligee who is an individual, and nor the obligor do  
37 not reside resides in the issuing state.

38       (2) A movant who is a nonresident of this state  
39 seeks modification.

40       (3) The respondent is subject to the personal  
41 jurisdiction of the tribunal of this state.

42       b. ~~The~~ This state is the state of residence of the  
43 child, or a party who is an individual, is subject  
44 to the personal jurisdiction of the tribunal of this  
45 state, and all of the parties who are individuals have  
46 filed written consents in a record in the issuing  
47 tribunal for a tribunal of this state to modify  
48 the support order and assume continuing, exclusive  
49 jurisdiction over the order. However, if the issuing  
50 state is a foreign jurisdiction that has not enacted

1 ~~a law or established procedures substantially similar~~  
2 ~~to the procedures under this chapter, the consent~~  
3 ~~otherwise required of an individual residing in this~~  
4 ~~state is not required for the tribunal to assume~~  
5 ~~jurisdiction to modify the child support order.~~

6 2. Modification of a registered child support order  
7 is subject to the same requirements, procedures, and  
8 defenses that apply to the modification of an order  
9 issued by a tribunal of this state and the order may be  
10 enforced and satisfied in the same manner.

11 3. A tribunal of this state may not modify any  
12 aspect of a child support order that may not be  
13 modified under the law of the issuing state, including  
14 the duration of the obligation of support. If two or  
15 more tribunals have issued child support orders for the  
16 same obligor and same child, the order that controls  
17 and must be so recognized under section 252K.207  
18 establishes the aspects of the support order which are  
19 nonmodifiable.

20 4. In a proceeding to modify a child support order,  
21 the law of the state that is determined to have issued  
22 the initial controlling order governs the duration of  
23 the obligation of support. The obligor's fulfillment  
24 of the duty of support established by that order  
25 precludes imposition of a further obligation of support  
26 by a tribunal of this state.

27 5. On the issuance of an order by a tribunal of  
28 this state modifying a child support order issued in  
29 another state, a the tribunal of this state becomes the  
30 tribunal having continuing, exclusive jurisdiction.

31 6. Notwithstanding subsections 1 through 5 and  
32 section 252K.201, subsection 2, a tribunal of this  
33 state retains jurisdiction to modify an order issued  
34 by a tribunal of this state if both of the following  
35 apply:

36 a. One party resides in another state.

37 b. The other party resides outside the United  
38 States.

39 Sec. \_\_\_\_ . Section 252K.612, Code 2015, is amended  
40 to read as follows:

41 **252K.612 Recognition of order modified in another**  
42 **state.**

43 ~~A tribunal of this state shall recognize If a~~  
44 ~~modification of its earlier child support order issued~~  
45 ~~by a tribunal of this state is modified by a tribunal~~  
46 ~~of another state which assumed jurisdiction pursuant~~  
47 ~~to this chapter or a law substantially similar to this~~  
48 ~~chapter and, upon request, except as otherwise provided~~  
49 ~~in this chapter, shall a tribunal of this state:~~

50 1. ~~Enforce the~~ May enforce its order that was

1 modified only as to amounts arrears and interest  
2 accruing before the modification.

3 ~~2. Enforce only nonmodifiable aspects of that~~  
4 ~~order.~~

5 ~~3. Provide other~~ May provide appropriate relief  
6 ~~only~~ for violations of ~~the~~ its order which occurred  
7 before the effective date of the modification.

8 ~~4. 3. Recognize~~ Shall recognize the modifying  
9 order of the other state, upon registration, for the  
10 purpose of enforcement.

11 Sec. \_\_\_\_ . NEW SECTION. 252K.615 Jurisdiction to  
12 modify child support order of foreign country.

13 1. Except as otherwise provided in section  
14 252K.711, if a foreign country lacks or refuses to  
15 exercise jurisdiction to modify its child support  
16 order pursuant to its laws, a tribunal of this state  
17 may assume jurisdiction to modify the child support  
18 order and bind all individuals subject to the personal  
19 jurisdiction of the tribunal whether the consent  
20 to modification of a child support order otherwise  
21 required of the individual pursuant to section 252K.611  
22 has been given or whether the individual seeking  
23 modification is a resident of this state or of the  
24 foreign country.

25 2. An order issued by a tribunal of this state  
26 modifying a foreign child support order pursuant to  
27 this section is the controlling order.

28 Sec. \_\_\_\_ . NEW SECTION. 252K.616 Procedures to  
29 register child support order of foreign country for  
30 modification.

31 A party or support enforcement agency seeking to  
32 modify, or to modify and enforce, a foreign child  
33 support order not under the convention may register  
34 that order in this state under sections 252K.601  
35 through 252K.608 if the order has not been registered.  
36 A petition or comparable pleading for modification  
37 may be filed at the same time as a request for  
38 registration, or at another time. The pleading must  
39 specify the grounds for modification.

40 Sec. \_\_\_\_ . Section 252K.701, Code 2015, is amended  
41 by striking the section and inserting in lieu thereof  
42 the following:

43 **252K.701 Definitions.**

44 In this article:

45 1. "*Application*" means a request under the  
46 convention by an obligee or obligor, or on behalf of a  
47 child, made through a central authority for assistance  
48 from another central authority.

49 2. "*Central authority*" means the entity designated  
50 by the United States or a foreign country described

1 in section 252K.101, subsection 5, paragraph "d", to  
2 perform the functions specified in the convention.

3 3. "Convention support order" means a support order  
4 of a tribunal of a foreign country described in section  
5 252K.101, subsection 5, paragraph "d".

6 4. "Direct request" means a petition for support  
7 filed by an individual in a tribunal of this state in a  
8 proceeding involving an obligee, obligor, or a child  
9 residing outside the United States.

10 5. "Foreign central authority" means the entity  
11 designated by a foreign country described in section  
12 252K.101, subsection 5, paragraph "d", to perform the  
13 functions specified in the convention.

14 6. "Foreign support agreement":

15 a. Means an agreement for support in a record that:

16 (1) Is enforceable as a support order in the  
17 country of origin.

18 (2) Has been formally drawn up or registered as  
19 an authentic instrument by a foreign tribunal or  
20 authenticated by, or concluded, registered, or filed  
21 with a foreign tribunal.

22 (3) May be reviewed and modified by a foreign  
23 tribunal.

24 b. "Foreign support agreement" includes a  
25 maintenance arrangement or authentic instrument under  
26 the convention.

27 7. "United States central authority" means the  
28 secretary of the United States department of health and  
29 human services.

30 Sec. \_\_\_\_ . **NEW SECTION. 252K.702 Applicability.**

31 This article applies only to a support proceeding  
32 under the convention. In such a proceeding, if a  
33 provision of this article is inconsistent with Articles  
34 1 through 6, this article controls.

35 Sec. \_\_\_\_ . **NEW SECTION. 252K.703 Relationship of  
36 child support recovery unit to United States central  
37 authority.**

38 The child support recovery unit of this state is  
39 recognized as the agency designated by the United  
40 States central authority to perform specific functions  
41 under the convention.

42 Sec. \_\_\_\_ . **NEW SECTION. 252K.704 Initiation by  
43 child support recovery unit of support proceeding under  
44 convention.**

45 1. In a support proceeding under this article, the  
46 child support recovery unit of this state shall:

47 a. Transmit and receive applications.

48 b. Initiate or facilitate the institution of a  
49 proceeding regarding an application in a tribunal of  
50 this state.



1 2. The following support proceedings are available  
2 to an obligee under the convention:  
3 a. Recognition or recognition and enforcement of a  
4 foreign support order.  
5 b. Enforcement of a support order issued or  
6 recognized in this state.  
7 c. Establishment of a support order if there is no  
8 existing order, including, if necessary, determination  
9 of parentage of a child.  
10 d. Establishment of a support order if recognition  
11 of a foreign support order is refused under section  
12 252K.708, subsection 2, paragraph "b", "d", or "i".  
13 e. Modification of a support order of a tribunal of  
14 this state.  
15 f. Modification of a support order of a tribunal of  
16 another state or a foreign country.  
17 3. The following support proceedings are available  
18 under the convention to an obligor against which there  
19 is an existing support order:  
20 a. Recognition of an order suspending or limiting  
21 enforcement of an existing support order of a tribunal  
22 of this state.  
23 b. Modification of a support order of a tribunal of  
24 this state.  
25 c. Modification of a support order of a tribunal of  
26 another state or a foreign country.  
27 4. A tribunal of this state may not require  
28 security, bond, or deposit, however described,  
29 to guarantee the payment of costs and expenses in  
30 proceedings under the convention.  
31 **Sec. \_\_\_\_ . NEW SECTION. 252K.705 Direct request.**  
32 1. A petitioner may file a direct request seeking  
33 establishment or modification of a support order  
34 or determination of parentage of a child. In the  
35 proceeding, the law of this state applies.  
36 2. A petitioner may file a direct request seeking  
37 recognition and enforcement of a support order or  
38 support agreement. In the proceeding, sections  
39 252K.706 through 252K.713 apply.  
40 3. In a direct request for recognition and  
41 enforcement of a convention support order or foreign  
42 support agreement:  
43 a. A security, bond, or deposit is not required to  
44 guarantee the payment of costs and expenses.  
45 b. An obligee or obligor that in the issuing  
46 country has benefited from free legal assistance is  
47 entitled to benefit, at least to the same extent, from  
48 any free legal assistance provided for by the law of  
49 this state under the same circumstances.  
50 4. A petitioner filing a direct request is not

1 entitled to assistance from the child support recovery  
2 unit.

3 5. This article does not prevent the application  
4 of laws of this state that provide simplified, more  
5 expeditious rules regarding a direct request for  
6 recognition and enforcement of a foreign support order  
7 or foreign support agreement.

8 Sec. \_\_\_\_ . NEW SECTION. 252K.706 Registration of  
9 convention support order.

10 1. Except as otherwise provided in this article,  
11 a party who is an individual or a support enforcement  
12 agency seeking recognition of a convention support  
13 order shall register the order in this state as  
14 provided in Article 6.

15 2. Notwithstanding section 252K.311 and section  
16 252K.602, subsection 1, a request for registration of a  
17 convention support order must be accompanied by:

18 a. A complete text of the support order.

19 b. A record stating that the support order is  
20 enforceable in the issuing country.

21 c. If the respondent did not appear and was not  
22 represented in the proceedings in the issuing country,  
23 a record attesting, as appropriate, either that the  
24 respondent had proper notice of the proceedings and  
25 an opportunity to be heard or that the respondent had  
26 proper notice of the support order and an opportunity  
27 to be heard in a challenge or appeal on fact or law  
28 before a tribunal.

29 d. A record showing the amount of arrears, if any,  
30 and the date the amount was calculated.

31 e. A record showing a requirement for automatic  
32 adjustment of the amount of support, if any, and  
33 the information necessary to make the appropriate  
34 calculations.

35 f. If necessary, a record showing the extent to  
36 which the applicant received free legal assistance in  
37 the issuing country.

38 3. A request for registration of a convention  
39 support order may seek recognition and partial  
40 enforcement of the order.

41 4. A tribunal of this state may vacate the  
42 registration of a convention support order without  
43 the filing of a contest under section 252K.707 only  
44 if, acting on its own motion, the tribunal finds that  
45 recognition and enforcement of the order would be  
46 manifestly incompatible with public policy.

47 5. The tribunal shall promptly notify the parties  
48 of the registration or the order vacating the  
49 registration of a convention support order.

50 Sec. \_\_\_\_ . NEW SECTION. 252K.707 Contest of

1 registered convention support order.

2 1. Except as otherwise provided in this article,  
3 sections 252K.605 through 252K.608 apply to a contest  
4 of a registered convention support order.

5 2. A party contesting a registered convention  
6 support order shall file a contest not later than  
7 thirty days after notice of the registration, but if  
8 the contesting party does not reside in the United  
9 States, the contest must be filed not later than sixty  
10 days after notice of the registration.

11 3. If the nonregistering party fails to contest  
12 the registered convention support order by the time  
13 specified in subsection 2, the order is enforceable.

14 4. A contest of a registered convention support  
15 order may be based only on grounds set forth in section  
16 252K.708. The contesting party bears the burden of  
17 proof.

18 5. In a contest of a registered convention support  
19 order, a tribunal of this state:

20 a. Is bound by the findings of fact on which the  
21 foreign tribunal based its jurisdiction.

22 b. May not review the merits of the order.

23 6. A tribunal of this state deciding a contest of  
24 a registered convention support order shall promptly  
25 notify the parties of its decision.

26 7. A challenge or appeal, if any, does not stay the  
27 enforcement of a convention support order unless there  
28 are exceptional circumstances.

29 Sec. \_\_\_\_\_. **NEW SECTION. 252K.708 Recognition and**  
30 **enforcement of registered convention support order.**

31 1. Except as otherwise provided in subsection 2, a  
32 tribunal of this state shall recognize and enforce a  
33 registered convention support order.

34 2. The following grounds are the only grounds on  
35 which a tribunal of this state may refuse recognition  
36 and enforcement of a registered convention support  
37 order:

38 a. Recognition and enforcement of the order is  
39 manifestly incompatible with public policy, including  
40 the failure of the issuing tribunal to observe minimum  
41 standards of due process, which include notice and an  
42 opportunity to be heard.

43 b. The issuing tribunal lacked personal  
44 jurisdiction consistent with section 252K.201.

45 c. The order is not enforceable in the issuing  
46 country.

47 d. The order was obtained by fraud in connection  
48 with a matter of procedure.

49 e. A record transmitted in accordance with section  
50 252K.706 lacks authenticity or integrity.

1 *f.* A proceeding between the same parties and having  
2 the same purpose is pending before a tribunal of this  
3 state and that proceeding was the first to be filed.

4 *g.* The order is incompatible with a more recent  
5 support order involving the same parties and having  
6 the same purpose if the more recent support order is  
7 entitled to recognition and enforcement under this  
8 chapter in this state.

9 *h.* Payment, to the extent alleged arrears have been  
10 paid in whole or in part.

11 *i.* In a case in which the respondent neither  
12 appeared nor was represented in the proceeding in  
13 the issuing foreign country, any of the following is  
14 applicable:

15 (1) If the law of that country provides for prior  
16 notice of proceedings, the respondent did not have  
17 proper notice of the proceedings and an opportunity to  
18 be heard.

19 (2) If the law of that country does not provide for  
20 prior notice of the proceedings, the respondent did not  
21 have proper notice of the order and an opportunity to  
22 be heard in a challenge or appeal on fact or law before  
23 a tribunal.

24 *j.* The order was made in violation of section  
25 252K.711.

26 3. If a tribunal of this state does not recognize a  
27 convention support order under subsection 2, paragraph  
28 "b", "d", or "i":

29 *a.* The tribunal may not dismiss the proceeding  
30 without allowing a reasonable time for a party to  
31 request the establishment of a new convention support  
32 order.

33 *b.* The child support recovery unit shall take all  
34 appropriate measures to request a child support order  
35 for the obligee if the application for recognition and  
36 enforcement was received under section 252K.704.

37 Sec. \_\_\_\_ . NEW SECTION. **252K.709 Partial**  
38 **enforcement.**

39 If a tribunal of this state does not recognize and  
40 enforce a convention support order in its entirety,  
41 it shall enforce any severable part of the order. An  
42 application or direct request may seek recognition and  
43 partial enforcement of a convention support order.

44 Sec. \_\_\_\_ . NEW SECTION. **252K.710 Foreign support**  
45 **agreement.**

46 1. Except as otherwise provided in subsections 3  
47 and 4, a tribunal of this state shall recognize and  
48 enforce a foreign support agreement registered in this  
49 state.

50 2. An application or direct request for recognition

1 and enforcement of a foreign support agreement must be  
2 accompanied by:

3     *a.* A complete text of the foreign support  
4 agreement.

5     *b.* A record stating that the foreign support  
6 agreement is enforceable as an order of support in the  
7 issuing country.

8     3. A tribunal of this state may vacate the  
9 registration of a foreign support agreement only  
10 if, acting on its own motion, the tribunal finds  
11 that recognition and enforcement would be manifestly  
12 incompatible with public policy.

13     4. In a contest of a foreign support agreement,  
14 a tribunal of this state may refuse recognition and  
15 enforcement of the agreement if it finds any of the  
16 following:

17     *a.* Recognition and enforcement of the agreement is  
18 manifestly incompatible with public policy.

19     *b.* The agreement was obtained by fraud or  
20 falsification.

21     *c.* The agreement is incompatible with a support  
22 order involving the same parties and having the same  
23 purpose in this state, another state, or a foreign  
24 country if the support order is entitled to recognition  
25 and enforcement under this chapter in this state.

26     *d.* The record submitted under subsection 2 lacks  
27 authenticity or integrity.

28     5. A proceeding for recognition and enforcement  
29 of a foreign support agreement must be suspended  
30 during the pendency of a challenge to or appeal of  
31 the agreement before a tribunal of another state or a  
32 foreign country.

33     Sec. \_\_\_\_ . NEW SECTION. **252K.711 Modification of**  
34 **convention child support order.**

35     1. A tribunal of this state may not modify a  
36 convention child support order if the obligee remains a  
37 resident of the foreign country where the support order  
38 was issued unless any of the following applies:

39     *a.* The obligee submits to the jurisdiction of  
40 a tribunal of this state, either expressly or by  
41 defending on the merits of the case without objecting  
42 to the jurisdiction at the first available opportunity.

43     *b.* The foreign tribunal lacks or refuses to  
44 exercise jurisdiction to modify its support order or  
45 issue a new support order.

46     2. If a tribunal of this state does not modify a  
47 convention child support order because the order is not  
48 recognized in this state, section 252K.708, subsection  
49 3, applies.

50     Sec. \_\_\_\_ . NEW SECTION. **252K.712 Personal**

1 information — limit on use.

2 Personal information gathered or transmitted under  
3 this article may be used only for the purposes for  
4 which it was gathered or transmitted.

5 Sec. \_\_\_\_ . **NEW SECTION. 252K.713 Record in original**  
6 **language — English translation.**

7 A record filed with a tribunal of this state under  
8 this article must be in the original language and,  
9 if not in English, must be accompanied by an English  
10 translation.

11 Sec. \_\_\_\_ . Section 252K.801, subsection 2, paragraph  
12 b, Code 2015, is amended to read as follows:

13 b. On the demand ~~by~~ of the governor of another  
14 state, surrender an individual found in this state who  
15 is charged criminally in the other state with having  
16 failed to provide for the support of an obligee.

17 Sec. \_\_\_\_ . Section 252K.802, subsections 1 and 2,  
18 Code 2015, are amended to read as follows:

19 1. Before making a demand that the governor  
20 of another state surrender an individual charged  
21 criminally in this state with having failed to provide  
22 for the support of an obligee, the governor of this  
23 state may require a prosecutor of this state to  
24 demonstrate that at least sixty days previously the  
25 obligee had initiated proceedings for support pursuant  
26 to this chapter or that the proceeding would be of no  
27 avail.

28 2. If, under this chapter, or a law substantially  
29 similar to this chapter, ~~the Uniform Reciprocal~~  
30 ~~Enforcement of Support Act, or the Revised Uniform~~  
31 ~~Reciprocal Enforcement of Support Act,~~ the governor  
32 of another state makes a demand that the governor of  
33 this state surrender an individual charged criminally  
34 in that state with having failed to provide for the  
35 support of a child or other individual to whom a  
36 duty of support is owed, the governor may require a  
37 prosecutor to investigate the demand and report whether  
38 a proceeding for support has been initiated or would  
39 be effective. If it appears that a proceeding would  
40 be effective but has not been initiated, the governor  
41 may delay honoring the demand for a reasonable time to  
42 permit the initiation of a proceeding.

43 Sec. \_\_\_\_ . Section 252K.901, Code 2015, is amended  
44 to read as follows:

45 **252K.901 Uniformity of application and construction.**

46 ~~This chapter shall be applied and construed In~~  
47 applying and construing this uniform Act, consideration  
48 must be given to the need to effectuate its general  
49 purpose to make uniform promote uniformity of the law  
50 with respect to the subject of this chapter matter

1 among states ~~enacting~~ that enact it.  
2 Sec. \_\_\_\_\_. Section 252K.903, Code 2015, is amended  
3 to read as follows:  
4 **252K.903 Severability clause.**  
5 If any provision of this chapter or its application  
6 to any person or circumstance is held invalid,  
7 the invalidity does not affect other provisions or  
8 application of this chapter which can be given effect  
9 without the invalid provision or application, and to  
10 this end the provisions of this chapter are severable.  
11 Sec. \_\_\_\_\_. Section 252K.904, Code 2015, is amended  
12 to read as follows:  
13 **252K.904 Effective date — pending matters.**  
14 1. This chapter takes effect ~~January 1, 1998~~ July  
15 1, 2015.  
16 2. A tribunal of this state shall apply this  
17 chapter beginning ~~January 1, 1998~~ July 1, 2015, with  
18 the following conditions:  
19 a. Matters pending on ~~January 1, 1998~~ July 1, 2015,  
20 shall be governed by this chapter.  
21 b. Pleadings and accompanying documents on pending  
22 matters are sufficient if the documents substantially  
23 comply with the requirements of this chapter 252A in  
24 effect on ~~December 31, 1997~~ June 30, 2015.  
25 Sec. \_\_\_\_\_. REPEAL. Section 252K.902, Code 2015, is  
26 repealed.  
27 Sec. \_\_\_\_\_. CODE EDITOR DIRECTIVES. The Code editor  
28 shall do all of the following:  
29 1. Eliminate the part designations and titles under  
30 Article 2 of chapter 252K.  
31 2. Retitle Article 4 of chapter 252K "Establishment  
32 of support order or determination of parentage".  
33 3. Retitle Article 5 of chapter 252K "Enforcement  
34 of support order without registration".  
35 4. Retitle Article 6 of chapter 252K "Registration,  
36 enforcement, and modification of support order".  
37 5. Retitle Article 6, part 1, of chapter 252K  
38 "Registration for enforcement of support order".  
39 6. Retitle Article 6, part 3, of chapter 252K  
40 "Registration and modification of child support order  
41 of another state".  
42 7. Create a new part 4 of Article 6 of chapter  
43 252K, entitled "Registration and modification of  
44 foreign child support order" which shall include  
45 sections 252K.615 and 252K.616, as enacted in this Act.  
46 8. Retitle Article 7 of chapter 252K "Support  
47 proceeding under convention", which shall include  
48 sections 252K.701, 252K.702, 252K.703, 252K.704,  
49 252K.705, 252K.706, 252K.707, 252K.708, 252K.709,  
50 252K.710, 252K.711, 252K.712, and 252K.713, as amended

1 and enacted in this Act.

2 DIVISION  
3 CONFORMING CHANGES — UNIFORM INTERSTATE FAMILY SUPPORT  
4 ACT

5 Sec. \_\_\_\_\_. Section 252A.2, subsection 10, Code 2015,  
6 is amended by striking the subsection.

7 Sec. \_\_\_\_\_. Section 252A.3, subsection 9, Code 2015,  
8 is amended to read as follows:

9 9. Notwithstanding the fact that the respondent has  
10 obtained in any state or foreign country a final decree  
11 of divorce or separation from the respondent's spouse  
12 or a decree dissolving the marriage, the respondent  
13 shall be deemed legally liable for the support of any  
14 dependent child of such marriage.

15 Sec. \_\_\_\_\_. Section 252A.3, subsection 10, paragraph  
16 d, Code 2015, is amended to read as follows:

17 d. By establishment of paternity in a another state  
18 or foreign jurisdiction country in any manner provided  
19 for by the laws of that jurisdiction.

20 Sec. \_\_\_\_\_. Section 252A.6A, subsection 2, paragraph  
21 b, Code 2015, is amended to read as follows:

22 b. If the prior determination of paternity is  
23 based on an administrative or court order or by any  
24 other means, pursuant to the laws of a another state  
25 or foreign jurisdiction country, an action to overcome  
26 the prior determination of paternity shall be filed  
27 in that jurisdiction. Unless the party requests and  
28 is granted a stay of an action to establish child or  
29 medical support, the action shall proceed as otherwise  
30 provided.

31 Sec. \_\_\_\_\_. Section 252A.18, Code 2015, is amended to  
32 read as follows:

33 **252A.18 Registration of foreign support order —**  
34 **notice.**

35 Registration of a support order of another state or  
36 foreign support order country shall be in accordance  
37 with chapter 252K except that, with regard to service,  
38 promptly upon registration, the clerk of the court  
39 shall send a notice, by restricted certified mail, or  
40 the child support recovery unit shall, as provided in  
41 section 252B.26, send to the respondent, notice of the  
42 registration with a copy of the registered support  
43 order or the respondent may be personally served with  
44 the notice and the copy of the order in the same manner  
45 as original notices are personally served. The clerk  
46 shall also docket the case and notify the prosecuting  
47 attorney of the action. The clerk shall maintain a  
48 registry of all support orders registered pursuant to  
49 this section. The filing is in equity.

50 Sec. \_\_\_\_\_. Section 252B.1, subsection 6, Code 2015,



1 is amended to read as follows:

2 6. "*Obligor*" means the person legally responsible  
3 for the support of a child as defined in section  
4 252D.16 or 598.1 under a support order issued in this  
5 state or a pursuant to the laws of another state or  
6 foreign jurisdiction country.

7 Sec. \_\_\_\_\_. Section 252B.3, subsection 4, paragraph  
8 b, Code 2015, is amended to read as follows:

9 b. This subsection shall not apply unless all the  
10 children for whom support is ordered reside with both  
11 parents, except that a child may be absent from the  
12 home due to a foster care placement pursuant to chapter  
13 234 or a comparable law of a another state or foreign  
14 jurisdiction country.

15 Sec. \_\_\_\_\_. Section 252B.4, subsection 5, paragraph  
16 b, Code 2015, is amended to read as follows:

17 b. A ~~foreign reciprocating country or foreign~~  
18 ~~country with which the state has an arrangement as~~  
19 ~~provided in 42 U.S.C. §659a as defined in chapter 252K.~~

20 Sec. \_\_\_\_\_. Section 252B.9, subsection 3, paragraph  
21 i, subparagraphs (4) and (7), Code 2015, are amended  
22 to read as follows:

23 (4) ~~The unit receives notification that a copy,~~  
24 ~~regular on its face, of a notarized affidavit or a~~  
25 ~~pleading, which was signed by and made under oath by~~  
26 ~~a party, under chapter 252K, the uniform interstate~~  
27 ~~family support Act, or the comparable law of another~~  
28 ~~state, alleging the health, safety, or liberty of the~~  
29 ~~party or child would be jeopardized by the disclosure~~  
30 ~~of specific identifying information unless a tribunal~~  
31 ~~has issued an order under chapter 252K, the uniform~~  
32 ~~interstate family support Act, or the comparable law~~  
33 ~~of another state, that the address or other ordered~~  
34 ~~the identifying information of a party or child not be~~  
35 ~~disclosed.~~

36 (7) The unit receives notification, as the result  
37 of a request under section 252B.9A, of the existence of  
38 any finding, order, affidavit, pleading, safety plan,  
39 or founded allegation referred to in subparagraphs (1)  
40 through (6) of this paragraph.

41 Sec. \_\_\_\_\_. Section 252B.14, Code 2015, is amended to  
42 read as follows:

43 **252B.14 Support payments — collection services**  
44 **center or comparable government entity in another state**  
45 **— clerk of the district court.**

46 1. For the purposes of this section, "*support*  
47 *order*" includes any order entered pursuant to chapter  
48 234, 252A, 252C, 598, 600B, or any other support  
49 chapter or proceeding which establishes support  
50 payments as defined in section 252D.16 or 598.1.

1 2. For support orders being enforced by the child  
2 support recovery unit, support payments made pursuant  
3 to the order shall be directed to and disbursed by  
4 the collection services center or, as appropriate,  
5 a comparable government entity in another state as  
6 provided in chapter 252K.

7 3. With the exception of support payments to which  
8 subsection 2 or 4 applies, support payments made  
9 pursuant to an order shall be directed to and disbursed  
10 by the clerk of the district court in the county in  
11 which the order for support is filed. The clerk of  
12 the district court may require the obligor to submit  
13 payments by bank draft or money order if the obligor  
14 submits an insufficient funds support payment to the  
15 clerk of the district court.

16 4. ~~By October 1, 1999, for~~ For a support order to  
17 which subsection 2 does not apply, regardless of the  
18 terms of the support order directing or redirecting  
19 the place of payment, support payments made through  
20 income withholding by a payor of income as provided  
21 in chapter 252D shall be directed to and disbursed  
22 by the collection services center or, as appropriate,  
23 a comparable government entity in another state as  
24 provided in chapter 252K. The judicial branch and the  
25 department shall develop and implement a plan to notify  
26 payors of income of this requirement and the effective  
27 date of the requirement applicable to the respective  
28 payor of income.

29 5. If the collection services center is receiving  
30 and disbursing payments pursuant to a support order,  
31 but the unit is not providing other services under Tit.  
32 IV-D of the federal Social Security Act, or if the  
33 order is not being enforced by the unit, the parties to  
34 that order are not considered to be receiving services  
35 under this chapter.

36 6. Payments to persons other than the clerk of the  
37 district court or the collection services center or, as  
38 appropriate, a comparable government entity in another  
39 state as provided in chapter 252K, do not satisfy  
40 the support obligations created by a support order or  
41 judgment, except as provided for in sections 598.22 and  
42 598.22A.

43 Sec. \_\_\_\_\_. Section 252B.15, Code 2015, is amended to  
44 read as follows:

45 **252B.15 Processing and disbursement of support**  
46 **payments.**

47 1. The collection services center shall notify  
48 the clerk of the district court of any order for  
49 which the child support recovery unit is providing  
50 enforcement services. The clerk of the district court

1 shall forward any support payment made pursuant to the  
2 order, along with any support payment information, to  
3 the collection services center. Unless the agreement  
4 developed pursuant to section 252B.13A otherwise  
5 provides, ~~by October 1, 1999,~~ the clerk of the district  
6 court shall forward any support payment made and any  
7 support payment information provided through income  
8 withholding pursuant to chapter 252D, to the collection  
9 services center. The collection services center shall  
10 process and disburse the payment in accordance with  
11 federal requirements.

12 2. Unless otherwise provided under federal law,  
13 if it is possible to identify the support order to  
14 which a payment is to be applied and if sufficient  
15 information is provided to identify the obligee, a  
16 payment received by the collection services center or  
17 the clerk of the district court shall be disbursed to  
18 the appropriate individual or office within two working  
19 days in accordance with section 598.22.

20 3. If the collection services center receives an  
21 incorrectly submitted payment, the collection services  
22 center shall promptly return the payment to the sender  
23 and, if known, provide information about where to send  
24 the payment.

25 4. Chapter 556 shall not apply to payments received  
26 by the collection services center.

27 Sec. \_\_\_\_\_. Section 252B.16, Code 2015, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 4. As provided in sections  
30 252K.307 and 252K.319, the unit may issue and file with  
31 the clerk of the district court, a notice redirecting  
32 support payments to a comparable government entity  
33 responsible for the processing and disbursement of  
34 support payments in another state. The unit shall  
35 send a copy of the notice by regular mail to the last  
36 known addresses of the obligor and obligee and, where  
37 applicable, shall notify the payor of income to make  
38 payments as specified in the notice. The issuance and  
39 filing of the notice is the equivalent of a court order  
40 redirecting support.

41 Sec. \_\_\_\_\_. Section 252C.1, subsection 3, Code 2015,  
42 is amended to read as follows:

43 3. *"Court order"* means a judgment or order ~~of a~~  
44 ~~court of this state or another state~~ requiring the  
45 payment of a set or determinable amount of monetary  
46 support. For orders entered on or after July 1, 1990,  
47 unless the court specifically orders otherwise, medical  
48 support, as defined in section 252E.1, is not included  
49 in the amount of monetary support.

50 Sec. \_\_\_\_\_. Section 252C.4, subsection 1, paragraph

1 c, Code 2015, is amended to read as follows:

2 c. If the action is the result of a request from  
3 a another state or foreign jurisdiction country to  
4 establish support by a responsible person located in  
5 Iowa, in the county in which the responsible person  
6 resides.

7 Sec. \_\_\_\_\_. Section 252C.4, subsection 7, paragraph  
8 b, Code 2015, is amended to read as follows:

9 b. If the prior determination of paternity is based  
10 on an administrative or court order or other means,  
11 pursuant to the laws of a another state or foreign  
12 jurisdiction country, an action to overcome the prior  
13 determination of paternity shall be filed in that  
14 jurisdiction. Unless the responsible person requests  
15 and is granted a stay of an action initiated under  
16 this chapter to establish child or medical support,  
17 the action shall proceed as otherwise provided by this  
18 chapter.

19 Sec. \_\_\_\_\_. Section 252D.1, Code 2015, is amended to  
20 read as follows:

21 **252D.1 Delinquent support payments.**

22 If support payments ordered under this chapter or  
23 chapter 232, 234, 252A, 252C, 252E, 252F, 598, 600B,  
24 or any other applicable chapter, or under a comparable  
25 statute of a another state or foreign jurisdiction  
26 country, as certified to the child support recovery  
27 unit established in section 252B.2, are not paid to the  
28 clerk of the district court or the collection services  
29 center pursuant to section 598.22 or, as appropriate,  
30 a comparable government entity in another state as  
31 provided in chapter 252K, and become delinquent in an  
32 amount equal to the payment for one month, the child  
33 support recovery unit may enter an ex parte order or,  
34 upon application of a person entitled to receive the  
35 support payments, the district court may enter an ex  
36 parte order, notifying the person whose income is to  
37 be withheld, of the delinquent amount, of the amount  
38 of income to be withheld, and of the procedure to file  
39 a motion to quash the order for income withholding,  
40 and ordering the withholding of specified sums to be  
41 deducted from the delinquent person's income as defined  
42 in section 252D.16 sufficient to pay the support  
43 obligation and, except as provided in section 598.22,  
44 requiring the payment of such sums to the clerk of  
45 the district court or the collection services center  
46 or, as appropriate, a comparable government entity in  
47 another state as provided in chapter 252K. Beginning  
48 October 1, 1999, all All income withholding payments  
49 shall be paid to the collection services center or, as  
50 appropriate, a comparable government entity in another

1 state as provided in chapter 252K. Notification of  
2 income withholding shall be provided to the obligor and  
3 to the payor of income pursuant to section 252D.17.

4 Sec. \_\_\_\_\_. Section 252D.16, subsection 3, Code 2015,  
5 is amended to read as follows:

6 3. "*Support*" or "*support payments*" means any  
7 amount which the court or administrative agency may  
8 require a person to pay for the benefit of a child  
9 under a temporary order or a final judgment or decree  
10 entered under chapter 232, 234, 252A, 252C, 252F,  
11 252H, 598, 600B, or any other comparable chapter,  
12 and may include child support, maintenance, medical  
13 support as defined in chapter 252E, spousal support,  
14 and any other term used to describe these obligations.  
15 These obligations may include support for a child  
16 of any age who is dependent on the parties to the  
17 dissolution proceedings because of physical or mental  
18 disability. The obligations may include support for  
19 a child eighteen or more years of age with respect to  
20 whom a child support order has been issued pursuant to  
21 the laws of a another state or foreign jurisdiction  
22 country. These obligations shall not include amounts  
23 for a postsecondary education subsidy as defined in  
24 section 598.1.

25 Sec. \_\_\_\_\_. Section 252D.16A, Code 2015, is amended  
26 to read as follows:

27 **252D.16A Income withholding order — child support**  
28 **recovery unit.**

29 If support payments are ordered under this chapter,  
30 chapter 232, 234, 252A, 252C, 252E, 252F, 252H, 598,  
31 600B, or any other applicable chapter, or under a  
32 comparable statute of a another state or foreign  
33 jurisdiction country, and if income withholding  
34 relative to such support payments is allowed under this  
35 chapter, the child support recovery unit may enter an  
36 ex parte order notifying the person whose income is to  
37 be withheld of the procedure to file a motion to quash  
38 the order for income withholding, and ordering the  
39 withholding of sums to be deducted from the delinquent  
40 person's income as defined in section 252D.16  
41 sufficient to pay the support obligation and requiring  
42 the payment of such sums to the collection services  
43 center or, as appropriate, a comparable government  
44 entity in another state as provided in chapter 252K.  
45 The child support recovery unit shall include the  
46 amount of any delinquency and the amount to be withheld  
47 in the notice provided to the obligor pursuant to  
48 section 252D.17A. Notice of income withholding shall  
49 be provided to the obligor and to the payor of income  
50 pursuant to sections 252D.17 and 252D.17A.

1 Sec. \_\_\_\_\_. Section 252D.17, subsection 1, paragraphs  
2 e, f, and h, Code 2015, are amended to read as follows:

3 e. The payor shall send the amounts withheld to the  
4 collection services center or the clerk of the district  
5 court pursuant to section 252B.14 or, as appropriate,  
6 a comparable government entity in another state as  
7 provided in chapter 252K, within seven business days  
8 of the date the obligor is paid. "*Business day*" means  
9 a day on which state offices are open for regular  
10 business.

11 f. The payor may combine amounts withheld from the  
12 obligors' income in a single payment to the clerk of  
13 the district court or to the collection services center  
14 or a comparable government entity in another state as  
15 provided in chapter 252K, as appropriate. Whether  
16 combined or separate, payments shall be identified by  
17 the name of the obligor, account number, amount, and  
18 the date withheld. If payments for multiple obligors  
19 are combined, the portion of the payment attributable  
20 to each obligor shall be specifically identified.

21 h. If the payor, with actual knowledge and intent  
22 to avoid legal obligation, fails to withhold income or  
23 to pay the amounts withheld to the collection services  
24 center or the clerk of court or, as appropriate,  
25 a comparable government entity in another state  
26 as provided in chapter 252K in accordance with the  
27 provisions of the order, the notice of the order,  
28 or the notification of payors of income provisions  
29 established in section 252B.13A, the payor commits a  
30 simple misdemeanor for a first offense and is liable  
31 for the accumulated amount which should have been  
32 withheld, together with costs, interest, and reasonable  
33 attorney fees related to the collection of the amounts  
34 due from the payor. For each subsequent offense  
35 prescribed under this paragraph, the payor commits a  
36 serious misdemeanor and is liable for the accumulated  
37 amount which should have been withheld, together with  
38 costs, interest, and reasonable attorney fees related  
39 to the collection of the amounts due from the payor.

40 Sec. \_\_\_\_\_. Section 252D.18, subsection 3, Code 2015,  
41 is amended to read as follows:

42 3. The court or the child support recovery unit  
43 may, by ex parte order, terminate an income withholding  
44 order when the current support obligation has  
45 terminated and when the delinquent support obligation  
46 has been fully satisfied as applicable to all of the  
47 children covered by the income withholding order.  
48 The unit may, by ex parte order, terminate an income  
49 withholding order when the unit will no longer be  
50 providing services under chapter 252B, or when a

1 ~~another state or foreign jurisdiction country will~~  
2 ~~be providing services under Tit. IV-D of the federal~~  
3 ~~Social Security Act or a comparable law in a foreign~~  
4 ~~country.~~

5 Sec. \_\_\_\_\_. Section 252D.20, Code 2015, is amended to  
6 read as follows:

7 **252D.20 Administration of income withholding**  
8 **procedures.**

9 The child support recovery unit is designated as the  
10 entity of the state to administer income withholding in  
11 accordance with the procedures specified for keeping  
12 adequate records to document, track, and monitor  
13 support payments on cases subject to Tit. IV-D of the  
14 federal Social Security Act. ~~Until October 1, 1999,~~  
15 ~~the clerks of the district court are designated as~~  
16 ~~the entities for administering income withholding on~~  
17 ~~cases which are not subject to Tit. IV-D. Beginning~~  
18 ~~October 1, 1999, the~~ The collection services center  
19 is designated as the entity for administering  
20 income withholding for cases which are not subject  
21 to Tit. IV-D. The collection services center's  
22 responsibilities for administering income withholding  
23 in cases not subject to Tit. IV-D are limited to  
24 the receipt, recording, and disbursement of income  
25 withholding payments and to responding to requests for  
26 information on the current status of support payments  
27 pursuant to section 252B.13A. Notwithstanding section  
28 622.53, in cases where the court or the child support  
29 recovery unit is enforcing a an order of another state  
30 or foreign judgment country through income withholding,  
31 a certified copy of the underlying judgment is  
32 sufficient proof of authenticity.

33 Sec. \_\_\_\_\_. Section 252D.24, Code 2015, is amended to  
34 read as follows:

35 **252D.24 Applicability to support orders of foreign**  
36 **other jurisdictions.**

37 1. An income withholding order may be entered to  
38 enforce a support order of a another state or foreign  
39 jurisdiction country. ~~The foreign~~ That support order  
40 may be entered and filed with the clerk of the district  
41 court at the time the income withholding order is  
42 entered. Entry of the ~~foreign~~ support order of another  
43 state or foreign country under this subsection does not  
44 constitute registration of the order.

45 2. Income withholding for a support order issued  
46 by a another state or foreign jurisdiction country is  
47 governed by chapter 252K, ~~article 5 or 6,~~ and this  
48 chapter, as appropriate.

49 Sec. \_\_\_\_\_. Section 252D.31, subsection 3, Code 2015,  
50 is amended to read as follows:

1 3. The payor shall withhold and transmit the amount  
2 specified in the order or notice of the order of income  
3 withholding to the clerk of the district court or the  
4 collection services center or a comparable government  
5 entity in another state as provided in chapter 252K, as  
6 appropriate, until the notice that a motion to quash  
7 has been granted is received.

8 Sec. \_\_\_\_\_. Section 252E.1, subsections 3 and 13,  
9 Code 2015, are amended to read as follows:

10 3. "Child" means a person for whom child or medical  
11 support may be ordered pursuant to chapter 234, 239B,  
12 252A, 252C, 252F, 252H, 252K, 598, 600B, or any other  
13 chapter of the Code or pursuant to a comparable statute  
14 of a another state or foreign jurisdiction country.

15 13. "Order" means a support order entered pursuant  
16 to chapter 234, 252A, 252C, 252F, 252H, 252K, 598,  
17 600B, or any other support chapter, or pursuant to  
18 a comparable statute of a another state or foreign  
19 jurisdiction country, or an ex parte order entered  
20 pursuant to section 252E.4. "Order" also includes a  
21 notice of such an order issued by the department.

22 Sec. \_\_\_\_\_. Section 252E.2, subsection 4, Code 2015,  
23 is amended to read as follows:

24 4. A medical support order of a another state or  
25 foreign jurisdiction country may be entered or filed  
26 with the clerk of the district court. However, entry  
27 of such a medical support order under this subsection  
28 does not constitute registration of that medical  
29 support order.

30 Sec. \_\_\_\_\_. Section 252F.3, subsection 3, paragraph  
31 a, subparagraph (3), Code 2015, is amended to read as  
32 follows:

33 (3) If the action is the result of a request  
34 from a another state or foreign jurisdiction country  
35 to establish paternity of a putative father located  
36 in Iowa, in the county in which the putative father  
37 resides.

38 Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraph  
39 f, Code 2015, is amended to read as follows:

40 f. An original copy of the test results shall  
41 be filed with the clerk of the district court in the  
42 county where the notice was filed. The child support  
43 recovery unit shall issue a copy of the filed test  
44 results to each party in person, or by regular mail  
45 to the last known address of each, or if applicable,  
46 to the last known address of the attorney for each.  
47 However, if the action is the result of a request  
48 from a another state or foreign jurisdiction country,  
49 the unit shall issue a copy of the results to the  
50 initiating agency in that ~~foreign~~ jurisdiction.



1 Sec. \_\_\_\_\_. Section 252H.2, subsection 2, paragraphs  
2 g, l, and m, Code 2015, are amended to read as follows:

3 g. "Determination of controlling order" means the  
4 process of identifying a child support order which  
5 must be recognized pursuant to section 252K.207 and 28  
6 U.S.C. §1738B, when more than one state has issued a  
7 support order for the same child and the same obligor,  
8 and may include a reconciliation of arrearages with  
9 information related to the calculation. Registration  
10 of a ~~foreign~~ an order of another state or foreign  
11 country is not necessary for a court or the unit to  
12 make a determination of controlling order.

13 l. "State" means "state" as defined in section  
14 ~~252K.101~~ chapter 252K.

15 m. "Support order" means an order for support  
16 issued pursuant to chapter 232, 234, 252A, 252C, 252E,  
17 252F, 252H, 598, 600B, or any other applicable chapter,  
18 or under a comparable statute of a another state or  
19 foreign jurisdiction country as registered with the  
20 clerk of court or certified to the child support  
21 recovery unit.

22 Sec. \_\_\_\_\_. Section 252H.8, subsection 5, paragraph  
23 h, Code 2015, is amended to read as follows:

24 h. A certified copy of each order, issued by  
25 another state or foreign country, considered in  
26 determining the controlling order.

27 Sec. \_\_\_\_\_. Section 252H.14, subsection 2, Code 2015,  
28 is amended to read as follows:

29 2. The unit may periodically initiate a request to  
30 a child support agency of another state or to a foreign  
31 country to conduct a review of a support order entered  
32 ~~in that state~~ when the right to any ongoing child or  
33 medical support obligation due under the order is  
34 currently assigned to the state of Iowa or if the order  
35 does not include provisions for medical support.

36 Sec. \_\_\_\_\_. Section 252I.2, subsection 2, Code 2015,  
37 is amended to read as follows:

38 2. An obligor is subject to the provisions of this  
39 chapter if the obligor's support obligation is being  
40 enforced by the child support recovery unit, and if  
41 the support payments ordered under chapter 232, 234,  
42 252A, 252C, 252D, 252E, 252F, 598, 600B, or any other  
43 applicable chapter, or under a comparable statute  
44 of a another state or foreign jurisdiction country,  
45 as certified to the child support recovery unit, are  
46 not paid to the clerk of the district court or the  
47 collection services center pursuant to section 598.22  
48 and become delinquent in an amount equal to the support  
49 payment for one month.

50 Sec. \_\_\_\_\_. Section 252J.1, subsection 9, Code 2015,

1 is amended to read as follows:

2 9. "Support order" means an order for support  
3 issued pursuant to chapter 232, 234, 252A, 252C, 252D,  
4 252E, 252F, 252H, 598, 600B, or any other applicable  
5 chapter, or under a comparable statute of a another  
6 state or foreign jurisdiction country as registered  
7 with the clerk of the district court or certified to  
8 the child support recovery unit.

9 Sec. \_\_\_\_\_. Section 252J.6, subsection 2, paragraph  
10 d, subparagraph (1), subparagraph division (b), Code  
11 2015, is amended to read as follows:

12 (b) If the action is a result of section 252J.2,  
13 subsection 2, paragraph "b", and the individual is not  
14 an obligor, in the county in which the dependent child  
15 or children reside if the child or children reside in  
16 Iowa; in the county in which the dependent child or  
17 children last received public assistance if the child  
18 or children received public assistance in Iowa; or  
19 in the county in which the individual resides if the  
20 action is the result of a request from a child support  
21 agency in a another state or foreign jurisdiction  
22 country.

23 Sec. \_\_\_\_\_. Section 252J.9, subsection 1, paragraph  
24 b, Code 2015, is amended to read as follows:

25 b. If the action is a result of section 252J.2,  
26 subsection 2, paragraph "b", and the individual is not  
27 an obligor, in a county in which the dependent child  
28 or children reside if the child or children reside in  
29 Iowa; in the county in which the dependent child or  
30 children last received public assistance if the child  
31 or children received public assistance in Iowa; or  
32 in the county in which the individual resides if the  
33 action is the result of a request from a child support  
34 agency in a another state or foreign jurisdiction  
35 country.

36 Sec. \_\_\_\_\_. Section 598.2A, Code 2015, is amended to  
37 read as follows:

38 **598.2A Choice of law.**

39 In a proceeding to establish, modify, or enforce a  
40 child support order the forum state's law shall apply  
41 except as follows:

42 ~~1. In interpreting a child support order, a court~~  
43 ~~shall apply the law of the state of the court or~~  
44 ~~administrative agency that issued the order.~~

45 ~~2. In an action to enforce a child support order,~~  
46 ~~a court shall apply the statute of limitations of the~~  
47 ~~forum state or the state of the court or administrative~~  
48 ~~agency that issued the order, whichever statute~~  
49 ~~provides the longer period of limitations provided in~~  
50 section 252K.604.

1     Sec. \_\_\_\_\_. Section 598.21E, subsection 1, paragraph  
2 b, Code 2015, is amended to read as follows:

3     b. If a determination of paternity is based on an  
4 administrative or court order or other means pursuant  
5 to the laws of a another state or foreign jurisdiction  
6 country as defined in chapter 252K, any action to  
7 overcome the prior determination of paternity shall  
8 be filed in that jurisdiction. Unless a stay of the  
9 action initiated in this state to establish child or  
10 medical support is requested and granted by the court,  
11 pending a resolution of the contested paternity issue  
12 by the other state or foreign jurisdiction country as  
13 defined in chapter 252K, the action shall proceed.

14     Sec. \_\_\_\_\_. Section 598.22, Code 2015, is amended to  
15 read as follows:

16     **598.22 Support payments — clerk of court —**  
17 **collection services center or comparable government**  
18 **entity in another state — defaults — security.**

19     1. Except as otherwise provided in section 598.22A,  
20 this section applies to all initial or modified orders  
21 for support entered under this chapter, chapter 234,  
22 252A, 252C, 252F, 600B, or any other chapter of the  
23 Code. All orders or judgments entered under chapter  
24 234, 252A, 252C, 252F, or 600B, or under this chapter  
25 or any other chapter which provide for temporary or  
26 permanent support payments shall direct the payment  
27 of those sums to the clerk of the district court or  
28 the collection services center in accordance with  
29 section 252B.14, or as appropriate, a comparable  
30 government entity in another state as provided in  
31 chapter 252K for the use of the person for whom the  
32 payments have been awarded. ~~Beginning October 1,~~  
33 ~~1999, all~~ All income withholding payments shall be  
34 directed to the collection services center, or as  
35 appropriate, a comparable government entity in another  
36 state as provided in chapter 252K. Payments to  
37 persons other than the clerk of the district court,  
38 ~~and the collection services center, or as appropriate,~~  
39 a comparable government entity in another state as  
40 provided in chapter 252K do not satisfy the support  
41 obligations created by the orders or judgments,  
42 except as provided for trusts governed by the federal  
43 Retirement Equity Act of 1984, Pub. L. No. 98-397, for  
44 tax refunds or rebates in section 602.8102, subsection  
45 47, or for dependent benefits paid to the child support  
46 obligee as the result of disability benefits awarded  
47 to the child support obligor under the federal Social  
48 Security Act. For trusts governed by the federal  
49 Retirement Equity Act of 1984, Pub. L. No. 98-397, the  
50 order for income withholding or notice of the order

1 for income withholding shall require the payment of  
2 such sums to the alternate payee in accordance with the  
3 federal Act. For dependent benefits paid to the child  
4 support obligee as a result of disability benefits  
5 awarded to the child support obligor under the federal  
6 Social Security Act, the provisions of section 598.22C  
7 shall apply.

8 2. An income withholding order or notice of the  
9 order for income withholding shall be entered under the  
10 terms and conditions of chapter 252D. However, for  
11 trusts governed by the federal Retirement Equity Act of  
12 1984, Pub. L. No. 98-397, the payor shall transmit the  
13 payments to the alternate payee in accordance with the  
14 federal Act.

15 3. An order or judgment entered by the court  
16 for temporary or permanent support or for income  
17 withholding shall be filed with the clerk. The orders  
18 have the same force and effect as judgments when  
19 entered in the judgment docket and lien index and are  
20 records open to the public. Unless otherwise provided  
21 by federal law, if it is possible to identify the  
22 support order to which a payment is to be applied, and  
23 if sufficient information identifying the obligee is  
24 provided, the clerk or the collection services center,  
25 as appropriate, shall disburse the payments received  
26 pursuant to the orders or judgments within two working  
27 days of the receipt of the payments. All moneys  
28 received or disbursed under this section shall be  
29 entered in records kept by the clerk, or the collection  
30 services center, as appropriate, and the records kept  
31 by the clerk shall be available to the public. The  
32 clerk or the collection services center shall not  
33 enter any moneys paid in the record book if not paid  
34 directly to the clerk or the center, as appropriate,  
35 except as provided for trusts and federal social  
36 security disability payments in this section, and for  
37 tax refunds or rebates in section 602.8102, subsection  
38 47, or as appropriate, a comparable government entity  
39 in another state as provided in chapter 252K.

40 4. If the sums ordered to be paid in a support  
41 payment order are not paid to the clerk or the  
42 collection services center, or a comparable government  
43 entity in another state as provided in chapter 252K,  
44 as appropriate, at the time provided in the order or  
45 judgment, the clerk or the collection services center,  
46 as appropriate, shall certify a default to the court  
47 which may, on its own motion, proceed as provided in  
48 section 598.23.

49 5. Prompt payment of sums required to be paid under  
50 sections 598.10, 598.21A, 598.21B, 598.21C, 598.21E,

1 and 598.21F is the essence of such orders or judgments  
2 and the court may act pursuant to section 598.23  
3 regardless of whether the amounts in default are paid  
4 prior to the contempt hearing.

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

13 7. For the purpose of enforcement, medical support  
14 is additional support which, upon being reduced to  
15 a dollar amount, may be collected through the same  
16 remedies available for the collection and enforcement  
17 of child support.

18 8. The clerk of the district court in the county  
19 in which the order for support is filed and to whom  
20 support payments are made pursuant to the order may  
21 require the person obligated to pay support to submit  
22 payments by bank draft or money order if the obligor  
23 submits an insufficient funds support payment to the  
24 clerk of the district court.

25 Sec. \_\_\_\_\_. Section 598.22B, subsection 1, Code 2015,  
26 is amended to read as follows:

27 1. All such orders or judgments shall direct each  
28 party to file with the clerk of court or the child  
29 support recovery unit, as appropriate, upon entry of  
30 the order, and to update as appropriate, information on  
31 location and identity of the party, including social  
32 security number, residential and mailing addresses,  
33 electronic mail address, telephone number, driver's  
34 license number, and name, address, and telephone  
35 number of the party's employer. The order shall also  
36 include a provision that the information filed will be  
37 disclosed and used pursuant to this section. The party  
38 shall file the information with the clerk of court,  
39 or, if all support payments are to be directed to the  
40 collection services center as provided in section  
41 252B.14, subsection 2, and section 252B.16, with the  
42 child support recovery unit.

43 Sec. \_\_\_\_\_. Section 598.23A, subsection 1, Code 2015,  
44 is amended to read as follows:

45 1. If a person against whom an order or decree  
46 for support has been entered pursuant to this chapter  
47 or chapter 234, 252A, 252C, 252F, 600B, or any other  
48 support chapter, or a comparable chapter of a another  
49 state or foreign jurisdiction country as defined in  
50 chapter 252K, fails to make payments or provide medical

1 support pursuant to that order or decree, the person  
2 may be cited and punished by the court for contempt  
3 under section 598.23 or this section. Failure to  
4 comply with a seek employment order entered pursuant to  
5 section 252B.21 is evidence of willful failure to pay  
6 support.

7 Sec. \_\_\_\_\_. Section 600B.41A, subsection 2, paragraph  
8 a, Code 2015, is amended to read as follows:

9 a. A paternity determination made in or by a  
10 another state or foreign jurisdiction country as  
11 defined in chapter 252K or a paternity determination  
12 which has been made in or by a foreign that  
13 jurisdiction and registered in this state in accordance  
14 with section 252A.18 or chapter 252K.

15 Sec. \_\_\_\_\_. Section 602.8102, subsection 47, Code  
16 2015, is amended to read as follows:

17 47. Record support payments made pursuant to an  
18 order entered under chapter 252A, 252F, 598, or 600B,  
19 or under a comparable statute of a another state or  
20 foreign jurisdiction country as defined in chapter  
21 252K, and through setoff of a state or federal income  
22 tax refund or rebate, as if the payments were received  
23 and disbursed by the clerk; forward support payments  
24 received under section 252A.6 to the department  
25 of human services and furnish copies of orders and  
26 decrees awarding support to parties receiving welfare  
27 assistance as provided in section 252A.13.

28 Sec. \_\_\_\_\_. REPEAL. Section 252A.17, Code 2015, is  
29 repealed.

30 DIVISION \_\_\_\_\_

31 SUSPENSION OF SUPPORT

32 Sec. \_\_\_\_\_. Section 252B.20, Code 2015, is amended to  
33 read as follows:

34 **252B.20 Suspension of support — request by mutual**  
35 **consent.**

36 1. If the unit is providing child support  
37 enforcement services pursuant to this chapter, the  
38 parents of a dependent child for whom support has been  
39 ordered pursuant to chapter 252A, 252C, 252F, 598,  
40 600B, or any other chapter, may jointly request the  
41 assistance of the unit in suspending the obligation for  
42 support if all of the following conditions exist:

43 a. The parents have reconciled and are cohabiting,  
44 and the child for whom support is ordered is living  
45 in the same residence as the parents, or the child is  
46 currently residing with the parent who is ordered to  
47 pay support. If the basis for suspension under this  
48 paragraph applies to at least one but not all of the  
49 children for whom support is ordered, the condition  
50 of this paragraph is met only if the support order

1 includes a step change.

2     *b.* The child for whom support is ordered is not  
3 receiving public assistance pursuant to chapter 239B,  
4 249A, or a comparable law of a another state or foreign  
5 jurisdiction country, unless the person against whom  
6 support is ordered is considered to be a member of the  
7 same household as the child for the purposes of public  
8 assistance eligibility.

9     *c.* The parents have signed a notarized affidavit  
10 attesting to the conditions under paragraphs "*a*" and  
11 "*b*", have consented to suspension of the support order  
12 or obligation, and have submitted the affidavit to the  
13 unit.

14     *d.* No prior request for suspension has been filed  
15 with the unit under this section and no prior request  
16 for suspension has been served by the unit under  
17 section 252B.20A during the two-year period preceding  
18 the request, unless the request was filed during the  
19 two-year period preceding July 1, 2005, the unit denied  
20 the request because the suspension did not apply to all  
21 children for whom support is ordered, and the parents  
22 jointly file a request on or after July 1, 2005.

23     *e.* Any other criteria established by rule of the  
24 department.

25     2. Upon receipt of the application for suspension  
26 and properly executed and notarized affidavit, the unit  
27 shall review the application and affidavit to determine  
28 that the necessary criteria have been met. The unit  
29 shall then do one of the following:

30     *a.* Deny the request and notify the parents in  
31 writing that the application is being denied, providing  
32 reasons for the denial and notifying the parents of  
33 the right to proceed through private counsel. Denial  
34 of the application is not subject to contested case  
35 proceedings or further review pursuant to chapter 17A.

36     *b.* Approve the request and prepare an order which  
37 shall be submitted, along with the affidavit, to a  
38 judge of a district court for approval, suspending  
39 the accruing support obligation and, if requested by  
40 the obligee, and if not prohibited by chapter 252K,  
41 satisfying the obligation of support due the obligee.  
42 If the basis for suspension applies to at least one but  
43 not all of the children for whom support is ordered  
44 and the support order includes a step change, the  
45 unit shall prepare an order suspending the accruing  
46 support obligation for each child to whom the basis for  
47 suspension applies.

48     3. An order approved by the court for suspension  
49 of an accruing support obligation is effective  
50 upon the date of filing of the suspension order.

1 The satisfaction of an obligation of support due  
2 the obligee shall be final upon the filing of the  
3 suspension order. A support obligation which is  
4 satisfied is not subject to the reinstatement  
5 provisions of this section.

6 4. An order suspending an accruing support  
7 obligation entered by the court pursuant to this  
8 section shall be considered a temporary order for the  
9 period of six months from the date of filing of the  
10 suspension order. However, the six-month period shall  
11 not include any time during which an application for  
12 reinstatement is pending before the court.

13 5. During the six-month period the unit may request  
14 that the court reinstate the accruing support order or  
15 obligation if any of the following conditions exist:

16 a. Upon application to the unit by either parent or  
17 other person who has physical custody of the child.

18 b. Upon the receipt of public assistance benefits,  
19 pursuant to chapter 239B, 249A, or a comparable law of  
20 a another state or foreign jurisdiction country, by the  
21 person entitled to receive support and the child on  
22 whose behalf support is paid, provided that the person  
23 owing the support is not considered to be a member of  
24 the same household as the child for the purposes of  
25 public assistance eligibility.

26 6. If a condition under subsection 5 exists, the  
27 unit may request that the court reinstate an accruing  
28 support obligation as follows:

29 a. If the basis for the suspension no longer  
30 applies to any of the children for whom an accruing  
31 support obligation was suspended, the unit shall  
32 request that the court reinstate the accruing support  
33 obligations for all of the children.

34 b. If the basis for the suspension continues to  
35 apply to at least one but not all of the children for  
36 whom an accruing support obligation was suspended and  
37 if the support order includes a step change, the unit  
38 shall request that the court reinstate the accruing  
39 support obligation for each child for whom the basis  
40 for the suspension no longer applies.

41 7. Upon filing of an application for reinstatement,  
42 service of the application shall be made either in  
43 person or by first class mail upon both parents.  
44 Within ten days following the date of service, the  
45 parents may file a written objection with the clerk  
46 of the district court to the entry of an order for  
47 reinstatement.

48 a. If no objection is filed, the court may enter  
49 an order reinstating the accruing support obligation  
50 without additional notice.



1     **b.** If an objection is filed, the clerk of court  
2 shall set the matter for hearing and send notice of the  
3 hearing to both parents and the unit.

4     **8.** The reinstatement is effective as follows:

5     **a.** For reinstatements initiated under subsection 5,  
6 paragraph "a", the date the notices were served on both  
7 parents pursuant to subsection 7.

8     **b.** For reinstatements initiated under subsection  
9 5, paragraph "b", the date the child began receiving  
10 public assistance benefits during the suspension of the  
11 obligation.

12     **c.** Support which became due during the period of  
13 suspension but prior to the reinstatement is waived  
14 and not due and owing unless the parties requested and  
15 agreed to the suspension under false pretenses.

16     **9.** If the order suspending a support obligation has  
17 been on file with the court for a period exceeding six  
18 months as computed pursuant to subsection 4, the order  
19 becomes final by operation of law and terminates the  
20 support obligation, and thereafter, a party seeking to  
21 establish a support obligation against either party  
22 shall bring a new action for support as provided by  
23 law.

24     **10.** This section shall not limit the rights of  
25 the parents or the unit to proceed by other means to  
26 suspend, terminate, modify, reinstate, or establish  
27 support.

28     **11.** This section does not provide for the  
29 suspension or retroactive modification of support  
30 obligations which accrued prior to the entry of  
31 an order suspending enforcement and collection of  
32 support pursuant to this section. However, if in  
33 the application for suspension, an obligee elects  
34 to satisfy an obligation of accrued support due  
35 the obligee, the suspension order may satisfy the  
36 obligation of accrued support due the obligee.

37     **12.** Nothing in this section shall prohibit or limit  
38 the unit or a party entitled to receive support from  
39 enforcing and collecting any unpaid or unsatisfied  
40 support that accrued prior to the suspension of the  
41 accruing obligation.

42     **13.** For the purposes of chapter 252H, subchapter  
43 II, regarding the criteria for a review or for  
44 a cost-of-living alteration under chapter 252H,  
45 subchapter IV, if a support obligation is terminated  
46 or reinstated under this section, such termination or  
47 reinstatement shall not be considered a modification  
48 of the support order.

49     **14.** As used in this section, unless the context  
50 otherwise requires, "step change" means a change

1 designated in a support order specifying the amount of  
2 the child support obligation as the number of children  
3 entitled to support under the order changes.

4 15. As specified in this section, if the child  
5 for whom support is ordered is not receiving public  
6 assistance pursuant to chapter 239B, 249A, or a  
7 comparable law of another state or foreign country,  
8 upon agreement of the parents, the unit may facilitate  
9 the suspension of the child support order or obligation  
10 if the child is residing with a caretaker, who is a  
11 natural person, and who has not requested the unit  
12 to provide services under this chapter. The parents  
13 and the caretaker shall sign a notarized affidavit  
14 attesting to the conditions under this section, consent  
15 to the suspension of the support order or obligation,  
16 and submit the affidavit to the unit. Upon the  
17 receipt of public assistance benefits pursuant to  
18 chapter 239B, 249A, or a comparable law of another  
19 state or foreign country, by the child on whose behalf  
20 support is ordered, or upon application to the unit by  
21 either parent or the caretaker, the unit may, within  
22 the time periods specified in this section, request  
23 the reinstatement of the accruing support order or  
24 obligation pursuant to this section.

25 16. The department may adopt all necessary and  
26 proper rules to administer and interpret this section.

27 Sec. \_\_\_\_. **NEW SECTION. 252B.20A Suspension of**  
28 **support — request by one party.**

29 1. If the unit is providing child support  
30 enforcement services pursuant to this chapter, the  
31 obligor who is ordered to pay support for the dependent  
32 child pursuant to chapter 252A, 252C, or 252F, may  
33 request the assistance of the unit in suspending  
34 the obligation for support if all of the following  
35 conditions exist:

36 a. The child is currently residing with the obligor  
37 and has been for more than sixty consecutive days. If  
38 the basis for suspension under this paragraph applies  
39 to at least one but not all of the children for whom  
40 support is ordered, the condition of this paragraph is  
41 met only if the support order includes a step change.

42 b. There is no order in effect regarding legal  
43 custody, physical care, visitation, or other parenting  
44 time for the child.

45 c. It is reasonably expected that the basis for  
46 suspension under this section will continue for not  
47 less than six months.

48 d. The child for whom support is ordered is not  
49 receiving public assistance pursuant to chapter 239B,  
50 249A, or a comparable law of another state or foreign

1 country, unless the obligor is considered to be a  
2 member of the same household as the child for the  
3 purposes of public assistance eligibility.

4 e. The obligor has signed a notarized affidavit,  
5 provided by the unit, attesting to the existence  
6 of the conditions under paragraphs "a" through "d",  
7 has requested suspension of the support order or  
8 obligation, and has submitted the affidavit to the  
9 unit.

10 f. No prior request for suspension has been served  
11 under this section, and no prior request for suspension  
12 has been filed with the unit pursuant to section  
13 252B.20, during the two-year period preceding the  
14 request.

15 g. Any other criteria established by rule of the  
16 department.

17 2. Upon receipt of the application for suspension  
18 and properly executed and notarized affidavit, the unit  
19 shall review the application and affidavit to determine  
20 that the criteria have been met. The unit shall then  
21 do one of the following:

22 a. If the unit determines the criteria have not  
23 been met, deny the request and notify the obligor in  
24 writing that the application is being denied, providing  
25 reasons for the denial and notifying the obligor of  
26 the right to proceed through private counsel. Denial  
27 of the application is not subject to contested case  
28 proceedings or further review pursuant to chapter 17A.

29 b. If the unit determines the criteria have  
30 been met, serve a copy of the notice and supporting  
31 documents on the obligee by any means provided in  
32 section 252B.26. The notice to the obligee shall  
33 include all of the following:

34 (1) Information sufficient to identify the parties  
35 and the support order affected.

36 (2) An explanation of the procedure for suspension  
37 and reinstatement of support under this section.

38 (3) An explanation of the rights and  
39 responsibilities of the obligee, including the  
40 applicable procedural time frames.

41 (4) A statement that within twenty days of service,  
42 the obligee must submit a signed and notarized  
43 response to the unit objecting to at least one of the  
44 assertions in subsection 1, paragraphs "a" through  
45 "d". The statement shall inform the obligee that if,  
46 within twenty days of service, the obligee fails to  
47 submit a response as specified in this subparagraph,  
48 notwithstanding rules of civil procedure 1.972(2) and  
49 1.972(3), the unit will prepare and submit an order as  
50 provided in subsection 3, paragraph "b".

1 3. No sooner than thirty days after service on the  
2 obligee under subsection 2, paragraph "b", the unit  
3 shall do one of the following:

4 a. If the obligee submits a signed and notarized  
5 objection to any assertion in subsection 1, paragraphs  
6 "a" through "d", deny the request and notify the  
7 parties in writing that the application is denied,  
8 providing reasons for the denial, and notifying  
9 the parties of the right to proceed through private  
10 counsel. Denial of the application is not subject to  
11 contested case proceedings or further review pursuant  
12 to chapter 17A.

13 b. If the obligee does not timely submit a signed  
14 and notarized objection to the unit, prepare an  
15 order which shall be submitted, along with supporting  
16 documents, to a judge of a district court for approval,  
17 suspending the accruing support obligation. If the  
18 basis for suspension applies to at least one but  
19 not all of the children for whom support is ordered  
20 and the support order includes a step change, the  
21 unit shall prepare an order suspending the accruing  
22 support obligation for each child to whom the basis for  
23 suspension applies.

24 4. An order approved by the court for suspension of  
25 an accruing support obligation is effective upon the  
26 date of filing of the suspension order.

27 5. An order suspending an accruing support  
28 obligation entered by the court pursuant to this  
29 section shall be considered a temporary order for the  
30 period of six months from the date of filing of the  
31 suspension order. However, the six-month period shall  
32 not include any time during which an application for  
33 reinstatement is pending before the court.

34 6. During the six-month period, the unit may  
35 request that the court reinstate the accruing support  
36 order or obligation if any of the following conditions  
37 exist:

38 a. Upon application to the unit by either party or  
39 other person who has physical custody of the child.

40 b. Upon the receipt of public assistance benefits  
41 pursuant to chapter 239B, 249A, or a comparable law  
42 of another state or foreign country, by the person  
43 entitled to receive support and the child on whose  
44 behalf support is paid, provided that the person owing  
45 the support is not considered to be a member of the  
46 same household as the child for the purposes of public  
47 assistance eligibility.

48 7. If a condition under subsection 6 exists, the  
49 unit may request that the court reinstate an accruing  
50 support obligation as follows:

1     *a.* If the basis for the suspension no longer  
2 applies to any of the children for whom an accruing  
3 support obligation was suspended, the unit shall  
4 request that the court reinstate the accruing support  
5 obligations for all of the children.

6     *b.* If the basis for the suspension continues to  
7 apply to at least one but not all of the children for  
8 whom an accruing support obligation was suspended and  
9 if the support order includes a step change, the unit  
10 shall request that the court reinstate the accruing  
11 support obligation for each child for whom the basis  
12 for the suspension no longer applies.

13     8. Upon filing of an application for reinstatement,  
14 service of the application shall be made either in  
15 person or by first class mail upon the parties. Within  
16 ten days following the date of service, a party may  
17 file a written objection with the clerk of the district  
18 court to the entry of an order for reinstatement.

19     *a.* If no objection is filed, the court may enter  
20 an order reinstating the accruing support obligation  
21 without additional notice.

22     *b.* If an objection is filed, the clerk of court  
23 shall set the matter for hearing and send notice of the  
24 hearing to the parties and the unit.

25     9. *a.* The reinstatement is effective as follows:

26         (1) For reinstatements initiated under subsection  
27 6, paragraph "*a*", the date the notices were served on  
28 the parties pursuant to subsection 8.

29         (2) For reinstatements initiated under subsection  
30 6, paragraph "*b*", the date the child began receiving  
31 public assistance benefits during the suspension of the  
32 obligation.

33     *b.* Support which became due during the period of  
34 suspension but prior to the reinstatement is waived and  
35 not due and owing unless the suspension was made under  
36 false pretenses.

37     10. If the order suspending a support obligation  
38 has been on file with the court for a period exceeding  
39 six months as computed pursuant to subsection 5, the  
40 order becomes final by operation of law and terminates  
41 the support obligation, and thereafter, a party seeking  
42 to establish a support obligation against either party  
43 shall bring a new action for support as provided by  
44 law.

45     11. Legal representation of the unit shall be  
46 provided pursuant to section 252B.7, subsection 4.

47     12. This section shall not limit the rights of a  
48 party or the unit to proceed by other means to suspend,  
49 terminate, modify, reinstate, or establish support.

50     13. This section does not provide for the

1 suspension or retroactive modification of support  
2 obligations which accrued prior to the entry of an  
3 order suspending enforcement and collection of support  
4 pursuant to this section.

5 14. Nothing in this section shall prohibit or limit  
6 the unit or a party entitled to receive support from  
7 enforcing and collecting any unpaid or unsatisfied  
8 support that accrued prior to the suspension of the  
9 accruing obligation.

10 15. For the purposes of chapter 252H regarding  
11 the criteria for a review under subchapter II of  
12 that chapter or for a cost-of-living alteration under  
13 subchapter IV of that chapter, if a support obligation  
14 is terminated or reinstated under this section, such  
15 termination or reinstatement shall not be considered a  
16 modification of the support order.

17 16. As used in this section, unless the context  
18 otherwise requires, "*step change*" means a change  
19 designated in a support order specifying the amount of  
20 the child support obligation as the number of children  
21 entitled to support under the order changes.

22 17. As specified in this section, if the child  
23 for whom support is ordered is not receiving public  
24 assistance pursuant to chapter 239B, 249A, or a  
25 comparable law of another state or foreign country,  
26 upon request by the obligor, the unit may facilitate  
27 the suspension of the child support order or obligation  
28 if the child is residing with a caretaker, who is a  
29 natural person, and who has not requested the unit  
30 to provide services under this chapter. The obligor  
31 and the caretaker shall sign a notarized affidavit  
32 attesting to the conditions under this section, consent  
33 to the suspension of the support order or obligation,  
34 and submit the affidavit to the unit. Upon the  
35 receipt of public assistance benefits pursuant to  
36 chapter 239B, 249A, or a comparable law of another  
37 state or foreign country, by the child on whose behalf  
38 support is ordered, or upon application to the unit by  
39 either party or the caretaker, the unit may, within  
40 the time periods specified in this section, request  
41 the reinstatement of the accruing support order or  
42 obligation pursuant to this section.

43 18. The department may adopt all necessary and  
44 proper rules to administer and interpret this section.

45 Sec. \_\_\_\_\_. Section 252B.26, unnumbered paragraph 1,  
46 Code 2015, is amended to read as follows:

47 Notwithstanding any provision of law to the  
48 contrary, the unit may serve a petition, notice, or  
49 rule to show cause under this chapter or chapter 252A,  
50 252C, 252F, 252H, 252K, 598, or 665 as specified in

1 each chapter, or as follows:

2 Sec. \_\_\_\_\_. ADMINISTRATIVE RULES —  
3 TRANSITION. Until the department of human services  
4 adopts rules pursuant to chapter 17A necessary to  
5 administer this division of this Act, all of the  
6 following shall apply:

7 1. The child support recovery unit may initiate  
8 proceedings to suspend and reinstate support orders in  
9 accordance with section 252B.20, as amended in this  
10 division of this Act.

11 2. The child support recovery unit may, to the  
12 extent appropriate, apply and utilize procedures,  
13 rules, and forms substantially similar to those  
14 applicable and utilized pursuant to section 252B.20  
15 for proceedings initiated in accordance with section  
16 252B.20A, as enacted in this division of this Act.

17 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
18 Act takes effect January 1, 2016.

19 DIVISION \_\_\_\_  
20 GENETIC TESTING

21 Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraph  
22 a, Code 2015, is amended to read as follows:

23 a. If a party contests the establishment of  
24 paternity, the party shall submit, within twenty  
25 days of service of the notice on the party under  
26 subsection 1, a written statement contesting paternity  
27 establishment to the unit. Upon receipt of a written  
28 challenge of paternity establishment, or upon  
29 initiation by the unit, the administrator shall enter  
30 ex parte administrative orders requiring the mother,  
31 child or children involved, and the putative father  
32 to submit to paternity testing, except that if the  
33 mother and child or children previously submitted blood  
34 or genetic specimens in a prior action to establish  
35 paternity against a different putative father, the  
36 previously submitted specimens and prior results, if  
37 available, may be utilized for testing in this action.  
38 Either the mother or putative father may contest  
39 paternity under this chapter.

40 Sec. \_\_\_\_\_. Section 600B.41, subsection 1, Code 2015,  
41 is amended to read as follows:

42 1. In a proceeding to establish paternity in law  
43 or in equity the court may on its own motion, and upon  
44 request of a party shall, require the child, mother,  
45 and alleged father to submit to blood or genetic  
46 tests, except that if the mother and child previously  
47 submitted blood or genetic specimens in a prior action  
48 to establish paternity against a different alleged  
49 father, the previously submitted specimens and prior  
50 results, if available, may be utilized for testing in

- 1 this action.>
- 2 2. By renumbering as necessary.

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HEDDENS of Story