

House File 253 - Enrolled

House File 253

AN ACT

RELATING TO PROCEEDINGS AND ACTIONS REGARDING PATERNITY AND THE
OBLIGATION FOR SUPPORT.

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

Section 1. Section 600B.37, Code 2017, is amended to read
as follows:

600B.37 Contempt.

If ~~the father~~ a party fails to comply with or violates the
terms or conditions of ~~a support~~ an order made pursuant to ~~the~~
~~provisions of~~ this chapter, the ~~father~~ party shall be held in
contempt and punished by the court in the same manner and to
the same extent as is provided by law for a contempt of such
court in any other suit or proceeding cognizable by such court.

Sec. 2. NEW SECTION. **600B.37A Action for default or
contempt — costs.**

If an action is brought on the grounds that a party to an
order made pursuant to this chapter is in default or contempt
of the order, and the court determines that the party is in
default or contempt of the order, the costs of the proceeding,
including reasonable attorney fees, may be taxed against that
party.

Sec. 3. Section 600B.40, Code 2017, is amended to read as
follows:

600B.40 Custody and visitation.

1. The mother of a child born out of wedlock whose paternity
has not been acknowledged and who has not been adopted has sole

custody of the child unless the court orders otherwise. If a judgment of paternity is entered, the father may petition for rights of visitation or custody in the same paternity action or in an equity proceeding separate from any action to establish paternity.

2. In determining the visitation or custody arrangements of a child born out of wedlock, if a judgment of paternity is entered and the mother of the child has not been awarded sole custody, [section 598.41](#) shall apply to the determination, as applicable, and the court shall consider the factors specified in [section 598.41, subsection 3](#), including but not limited to the factor related to a parent's history of domestic abuse.

3. In a proceeding under this chapter to determine custody or visitation or to modify a custody or visitation order, section 598.15 shall apply to the parties.

LINDA UPMEYER
Speaker of the House

JACK WHITVER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 253, Eighty-seventh General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2017

TERRY E. BRANSTAD
Governor