

*Amending 3/20/73, Page 4/24*

Senate File 383  
Kelly, Chairman  
Ramsey  
Kinley

**FILED MAR 19 1973**

SENATE FILE **383**

By ROBINSON

Passed Senate, Date 5-15-73 (1262) Passed House, Date 6-18-73 (2033)

Vote: Ayes 45 Nays 0 Vote: Ayes 71 Nays 1

Approved 7-12-73

*Motion to reconsider filed 5-15 (1265) w d. 5/21*

## A BILL FOR

1 An Act relating to the Uniform Support of Dependents Law.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S—570

1 Amend Senate File 383, page 2, by striking lines 1  
2 through 7, inclusive and renumbering the remaining  
3 sections.

S—570 Filed *Adopted 5/15*  
May 14, 1973

By ROBINSON

1 Section 1. Section two hundred fifty-two A point two  
2 (252A.2), subsection one (1), Code 1973, is amended to read  
3 as follows:

4 1. "State" shall mean and include any state, territory  
5 or possession of the United States and the District of  
6 Columbia, and any province or territory of the Dominion of  
7 Canada.

8 Sec. 2. Section two hundred fifty-two A point two  
9 (252A.2), subsection three (3), Code 1973, as amended by  
10 Senate File eighty-two (82), Acts of the Sixty-fifth General  
11 Assembly, 1973 Session, is amended to read as follows:

12 3. "Child" includes but shall not be limited to a  
13 stepchild, foster child or legally adopted child and means  
14 a child actually or apparently under eighteen years of  
15 age, and a dependent person eighteen years of age or over  
16 who is unable to maintain himself and is likely to become  
17 a public charge.

18 Sec. 3. Section two hundred fifty-two A point three  
19 (252A.3), Code 1973, is amended by adding the following new  
20 subsection:

21 NEW SUBSECTION. The natural parents of a child born out  
22 of wedlock shall be severally liable for the support of the  
23 child, but the liability of the natural father shall not be  
24 enforceable unless he has been adjudicated to be the child's  
25 father by a court of competent jurisdiction, or he has  
26 acknowledged paternity of the child in open court or by  
27 written statement.

28 Sec. 4. Section two hundred fifty-two A point six (252A.6),  
29 subsection four (4), Code 1973, is amended to read as follows:

30 4. When the court of this state, acting as a responding  
31 state, receives from the court of an initiating state the  
32 aforesaid copies, it shall docket the cause, notify the county  
33 attorney or other official acting as petitioner's repre-  
34 sentative, set a time and place for a hearing, and take such  
35 action as is necessary in accordance with the laws of this

1 state to serve notice and thus obtain jurisdiction over the  
2 respondent. If a court of the state, acting as a responding  
3 state, is unable to obtain jurisdiction of the respondent  
4 or his property due to inaccuracies or inadequacies in the  
5 petition or otherwise, the court shall communicate this fact  
6 to the court in the initiating state, shall on its own  
7 initiative use all means at its disposal to trace the  
8 respondent or his property, and shall hold the case pending  
9 the receipt of more accurate information or an amended peti-  
10 tion from the court in the initiating state. However, if  
11 the court of the responding state is unable to obtain  
12 jurisdiction because the respondent resides in or is domiciled  
13 or found in another county of the responding state, the papers  
14 received from the court of the initiating state may be for-  
15 warded by the court of the responding state which received  
16 the papers to the court of the county in the responding  
17 state in which the respondent resides or is domiciled or  
18 found, and the court of the initiating state shall be  
19 notified of the transfer. The court of the county where  
20 the respondent resides or is domiciled or found shall  
21 acknowledge receipt of the papers to both the court of the  
22 initiating state and the court of the responding state which  
23 forwarded them, and shall take full jurisdiction of the  
24 proceedings with the same powers as if it had received the  
25 papers directly from the court of the initiating state.

26 EXPLANATION

27 This bill amends the Uniform Support of Dependents Law.  
28 The scope of the Act is specifically extended to include  
29 Canada, since a few transactions under the Act involve that  
30 nation. Subsection 3 of section 252A.2 is amended to confirm  
31 that the specific relationships identified do not confine the  
32 coverage of the Act to those relationships. Section 3 of  
33 the bill makes it clear that the provisions of the Uniform  
34 Support Law may not be invoked against an alleged father who  
35 has not admitted being or been adjudged to be the father of

1 the child involved.

2 Section 4 empowers courts in one county in Iowa to transfer  
3 a proceeding initiated from another state under this Act directly  
4 to a second county in this state when the person against whom  
5 the proceeding is directed is found to be within the jurisdiction  
6 of the second county rather than the county to which the pro-  
7 ceeding was originally directed. At present, the proceeding  
8 must be returned to the initiating state and begun anew in  
9 such circumstances, creating additional expense and difficulty.

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