

San Francisco 3/12 Do Pass 3/22 (p. 982)

HOUSE FILE 2423

Judiciary  
Gentleman, Chair  
Mann  
Small

MAR 2 1984

HOUSE FILE 2423

BY COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT

Place On Calendar

(Formerly Study Bill 616)

Passed House, Date 3-8-84 (p. 519) Passed Senate, Date 3-28-84 (p. 112)

Vote: Ayes 100 Nays 0 Vote: Ayes 46 Nays 0

Approved May 9, 1984

## A BILL FOR

- 1 An Act establishing court jurisdiction over certain
- 2 nonresidents in paternity and child support cases.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2423

FISCAL NOTE

REQUESTED BY REPRESENTATIVE JAY

In compliance with a written request received March 7, 1984, there is hereby submitted a Fiscal Note for HOUSE FILE 2423 pursuant to Joint Rule 17. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the General Assembly upon request.

House File 2423 codifies specific circumstances which constitutes the minimum contact with the state necessary for the Iowa courts to exercise jurisdiction over non resident parents in paternity and child support cases.

**FISCAL EFFECT:** House File 2423 would increase child support recoveries by approximately \$34,000 (state share-\$15,200) per year. Child support recovery dollars are deposited in the ADC fund and are used to reduce the state share and federal share of the ADC program.

	FY '85		
	Current Law	H.F. 2423	Incr/(Decr)
<u>Recoveries</u>			
State Share	\$ 8,505,000	8,520,200	15,200
Federal Share	10,495,000	10,513,800	18,800
Total	\$ <u>19,000,000</u>	<u>19,034,000</u>	<u>34,000</u>

Source: Department of Human Services  
FILED MARCH 8, 1984

(3301H, 84-252D, TCF)

BY DENNIS PROUTY, FISCAL DIRECTOR

1 Section 1. NEW SECTION. 252B.12 JURISDICTION OVER NON-  
2 RESIDENT PARENTS. In an action to establish paternity or  
3 to establish or enforce a child support obligation, a  
4 nonresident person is subject to the jurisdiction of the  
5 courts of this state upon service of process of original  
6 notice in accordance with the rules of civil procedure, Iowa  
7 court rules, second edition, if any of the following  
8 circumstances exists:

9 1. Any circumstance in which the nonresident has the  
10 necessary minimum contact with this state for the exercise  
11 of jurisdiction, consistent with the constitutions of this  
12 state and the United States.

13 2. The affected child was conceived in this state while  
14 at least one of the parents was a resident of this state and  
15 the nonresident is the parent or alleged parent of the child.

16 3. The affected child resides in this state as a result  
17 of the acts or directives or with the approval of the non-  
18 resident.

19 4. The nonresident has resided with the affected child  
20 in this state.

21 EXPLANATION

22 This bill codifies a general catchall due process provi-  
23 sion and three specified circumstances each of which  
24 constitutes the minimum contact with the state necessary for  
25 the Iowa courts to exercise jurisdiction over nonresident  
26 parents in paternity and child support cases.

27 The bill creates a new section in chapter 252B and takes  
28 effect July 1 following enactment.

29  
30  
31  
32  
33  
34  
35

4. The nonresident has resided with the affected child in this state.

HOUSE FILE 2423

AN ACT

ESTABLISHING COURT JURISDICTION OVER CERTAIN NONRESIDENTS IN PATERNITY AND CHILD SUPPORT CASES.

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

Section 1. NEW SECTION. 252B.12 JURISDICTION OVER NON-RESIDENT PARENTS. In an action to establish paternity or to establish or enforce a child support obligation, a nonresident person is subject to the jurisdiction of the courts of this state upon service of process of original notice in accordance with the rules of civil procedure, Iowa court rules, second edition, if any of the following circumstances exists:

1. Any circumstance in which the nonresident has the necessary minimum contact with this state for the exercise of jurisdiction, consistent with the constitutions of this state and the United States.
2. The affected child was conceived in this state while at least one of the parents was a resident of this state and the nonresident is the parent or alleged parent of the child.
3. The affected child resides in this state as a result of the acts or directives or with the approval of the nonresident.

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

\_\_\_\_\_  
ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2423, Seventieth General Assembly.

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House

Approved *May 9* \_\_\_\_\_, 1984

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

H.F. 2423  
2423