

Reprinted 2/5/86

SENATE FILE 2051
BY COMMITTEE ON JUDICIARY
Approved (p. 83)

FILED JAN 16 1986

Passed Senate, Date 2-3-86 (p. 212) Passed House, Date _____
Vote: Ayes 44 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the attachment of child and spousal support
2 liens to real property and providing a retroactive effective
3 date.

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

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S.F. 2051

1 Section 1. Section 624.23, subsection 1, unnumbered
2 paragraph 2, Code Supplement 1985, is amended to read as
3 follows:

4 Judgments for child or spousal support in the appellate or
5 district courts of this state or in the circuit or district
6 court of the United States within this state and
7 administrative orders for child or spousal support entered
8 under chapter 252C, are liens upon the real property owned by
9 the defendant ~~at-the-time-of-the-entering-of-the-judgment-or~~
10 ~~order~~ and upon the real property subsequently acquired by the
11 defendant and attach from the date of the entry of the
12 judgment or order if the real property lies in the county in
13 which the district court of this state entering the judgment
14 or order is situated or when an attested copy of the judgment
15 or order is filed in the office of the clerk of the district
16 court of another county in which the real property lies. Upon
17 full satisfaction of a judgment or order for child or spousal
18 support, the party entitled to the support shall acknowledge
19 the satisfaction upon request pursuant to section 624.37.
20 Notwithstanding subsection 3, a lien established under this
21 subsection on a judgment or order for support is not
22 dischargeable in bankruptcy.

23 Sec. 2. Section 624.24, Code Supplement 1985, is amended
24 to read as follows:

25 624.24 WHEN JUDGMENT LIEN ATTACHES ---INDEX-OF-SUPPORT
26 LIENS.

27 If the real estate lies in the county in which the judgment
28 of the district court of this state or of the circuit or
29 district courts of the United States was entered in the
30 judgment docket and lien index kept by the clerk of the
31 district court having jurisdiction, the lien attaches from the
32 date of the entry of judgment. ~~Except-in-cases-of-support,-if~~
33 If the judgment and real estate are in different counties, the
34 lien does not attach until an attested copy of the judgment is
35 filed in the office of the clerk of the district court of the

SENATE FILE 2051

5029

1 Amend Senate File 2051 as follows:

2 1. By striking page 1, line 1 through page 2,
3 line 11 and inserting the following:

4 "Section 1. Section 624.23, subsection 1,
5 unnumbered paragraph 2, Code Supplement 1985, is
6 amended by striking the unnumbered paragraph.

7 Sec. 2. Section 624.24, Code Supplement 1985, is
8 amended by striking the section and inserting in lieu
9 thereof the following:

10 624.24 WHEN JUDGMENT LIEN ATTACHES.

11 When the real estate lies in the county wherein the
12 judgment of the district court of this state or of the
13 circuit or district courts of the United States was
14 entered in the judgment docket and lien index kept by
15 the clerk of the court having jurisdiction, the lien
16 shall attach from the date of such entry of judgment,
17 but if in another it will not attach until an attested
18 copy of the judgment is filed in the office of the
19 clerk of the district court of the county in which the
20 real estate lies.

21 Sec. 3. It is the intent of the general assembly
22 that liens against real estate for child or spousal
23 support shall only attach against real estate located
24 in the county in which the judgment was entered and
25 against real estate located in another county if an
26 attested copy of the judgment was filed in the office
27 of the clerk of the district court of that other
28 county.

29 Sec. 4. This Act takes effect from and after its
30 publication in The Sioux City Journal, a newspaper
31 published in Sioux City, Iowa, and in The Iowegian and
32 Citizen, a newspaper published in Centerville, Iowa,
33 and is retroactive to July 1, 1985."

S-5029 Filed January 30, 1986 BY DOYLE

Adopted 2/3/86 (p. 212)

SENATE FILE 2051

S-5011

1 Amend Senate File 2051 as follows:

- 2 1. Page 1, by striking lines 5 and 6, and
3 inserting the following: "district courts of this
4 state ~~or-in-the-circuit-or-district-court-of-the~~
5 ~~United-States-within-this-state~~ and".
6 2. Page 1, line 9, by striking the word
7 "defendant" and inserting the following: "defendant
8 judgment debtor".
9 3. Page 1, line 11, by striking the word
10 "defendant" and inserting the following: "defendant
11 judgment debtor".
12 4. Page 1, by striking lines 28 and 29, and
13 inserting the following: "of the district court of
14 this state ~~or-of-the-circuit-or-district-courts-of-the~~
15 ~~United-States~~ was entered in the".

S-5011 Filed January 23, 1986 BY DOYLE

7/15 2/3 (p. 212)

SENATE FILE 2051

S-5027

1 Amend Senate File 2051 as follows:

- 2 1. By striking page 1, line 1 through page 2,
3 line 6 and inserting the following:
4 "Section 1. Section 624.23, subsection 1,
5 unnumbered paragraph 2, Code Supplement 1985, is
6 amended by striking the unnumbered paragraph.
7 Sec. 2. Section 624.24, Code Supplement 1985, is
8 amended by striking the section and inserting in lieu
9 thereof the following:
10 624.24 WHEN JUDGMENT LIEN ATTACHES.
11 When the real estate lies in the county wherein the
12 judgment of the district court of this state or of the
13 circuit or district courts of the United States was
14 entered in the judgment docket and lien index kept by
15 the clerk of the court having jurisdiction, the lien
16 shall attach from the date of such entry of judgment,
17 but if in another it will not attach until an attested
18 copy of the judgment is filed in the office of the
19 clerk of the district court of the county in which the
20 real estate lies."

S-5027 Filed January 30, 1986 BY DOYLE

7/15 2/3 (p. 212)

SENATE FILE 2051
BY COMMITTEE ON JUDICIARY

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 3, 1986)

ALL New Language by the Senate

Passed Senate, Date 2-3-86 (p. 212) Passed House, Date 3-4-86 (p. 539)
Vote: Ayes 44 Nays 0 Vote: Ayes 88 Nays 3
Approved March 13, 1986 (p. 727)

A BILL FOR

1 An Act relating to the attachment of child and spousal support
2 liens to real property and providing a retroactive effective
3 date.

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

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79th Day

TUESDAY, APRIL 1, 1986

967

COMMUNICATION FROM THE SECRETARY OF STATE

March 27, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

Pursuant to the authority vested in the undersigned Secretary of State of the State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1985, there being no newspaper by the name of The Iowegian and Citizen published in Centerville, Iowa, I hereby designate that Senate File 2051 be published in the Ad-Express and Daily Iowegian and Citizen, a newspaper published in Centerville, Iowa.

I hereby certify that Senate File 2051 was published in The Sioux City Journal, Sioux City, Iowa, on March 21, 1986, and in the Ad-Express and Daily Iowegian and Citizen, Centerville, Iowa, on March 21, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

S.F. 2051

1 Section 1. Section 624.23, subsection 1, unnumbered
2 paragraph 2, Code Supplement 1985, is amended by striking the
3 unnumbered paragraph.

4 Sec. 2. Section 624.24, Code Supplement 1985, is amended
5 by striking the section and inserting in lieu thereof the
6 following:

7 624.24 WHEN JUDGMENT LIEN ATTACHES.

8 When the real estate lies in the county wherein the
9 judgment of the district court of this state or of the circuit
10 or district courts of the United States was entered in the
11 judgment docket and lien index kept by the clerk of the court
12 having jurisdiction, the lien shall attach from the date of
13 such entry of judgment, but if in another it will not attach
14 until an attested copy of the judgment is filed in the office
15 of the clerk of the district court of the county in which the
16 real estate lies.

17 Sec. 3. It is the intent of the general assembly that
18 liens against real estate for child or spousal support shall
19 only attach against real estate located in the county in which
20 the judgment was entered and against real estate located in
21 another county if an attested copy of the judgment was filed
22 in the office of the clerk of the district court of that other
23 county.

24 Sec. 4. This Act takes effect from and after its
25 publication in The Sioux City Journal, a newspaper published
26 in Sioux City, Iowa, and in The Iowegian and Citizen, a
27 newspaper published in Centerville, Iowa, and is retroactive
28 to July 1, 1985.

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SENATE FILE 2051

In Sioux City, Iowa, and in *The Iowegian and Citizen*, a newspaper published in Centerville, Iowa, and is retroactive to July 1, 1985. *3/21/86*

AN ACT

RELATING TO THE ATTACHMENT OF CHILD AND SPOUSAL SUPPORT LIENS TO REAL PROPERTY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

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

Section 1. Section 624.23, subsection 1, unnumbered paragraph 2, Code Supplement 1985, is amended by striking the unnumbered paragraph.

Sec. 2. Section 624.24, Code Supplement 1985, is amended by striking the section and inserting in lieu thereof the following:

624.24 WHEN JUDGMENT LIEN ATTACHES.

When the real estate lies in the county wherein the judgment of the district court of this state or of the circuit or district courts of the United States was entered in the judgment docket and lien index kept by the clerk of the court having jurisdiction, the lien shall attach from the date of such entry of judgment, but if in another it will not attach until an attested copy of the judgment is filed in the office of the clerk of the district court of the county in which the real estate lies.

Sec. 3. It is the intent of the general assembly that liens against real estate for child or spousal support shall only attach against real estate located in the county in which the judgment was entered and against real estate located in another county if an attested copy of the judgment was filed in the office of the clerk of the district court of that other county.

Sec. 4. This Act takes effect from and after its publication in *The Sioux City Journal*, a newspaper published

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2051, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved *March 13*, 1986

TERRY E. BRANSTAD
Governor