

FEB 21 1995
JUDICIARY

HOUSE FILE 196
BY GARMAN and O'BRIEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the definition of "support" for the purposes
2 of support established for a child under a child support order
3 or under an order related to a dissolution of marriage decree
4 and providing an applicability provision.

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

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HF 196

1 Section 1. Section 252D.1, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. As used in this chapter, unless the context otherwise
4 requires, "support" or "support payments" means any amount
5 which the court may require a person to pay for the benefit of
6 a child under a temporary order or a final judgment or decree,
7 and may include child support, maintenance, medical support as
8 defined in chapter 252E, and, if contained in a child support
9 order, spousal support, and any other term used to describe
10 these obligations. These obligations may include support for
11 a child who is between the ages of eighteen and twenty-two
12 years and who is regularly attending an accredited school in
13 pursuance of a course of study leading to a high school
14 diploma or its equivalent, ~~or-regularly-attending-a-course-of~~
15 ~~vocational-technical-training-either-as-a-part-of-a-regular~~
16 ~~school-program-or-under-special-arrangements-adapted-to-the~~
17 ~~individual-person's-needs, or-is, in-good-faith, a-full-time~~
18 ~~student-in-a-college, university, or-community-college, or-has~~
19 ~~been-accepted-for-admission-to-a-college, university, or~~
20 ~~community-college-and-the-next-regular-term-has-not-yet-begun,~~
21 and may include support for a child of any age who is
22 dependent on the parties to the dissolution proceedings
23 because of physical or mental disability.

24 Sec. 2. Section 598.1, subsection 6, Code 1995, is amended
25 to read as follows:

26 6. "Support" or "support payments" means an amount which
27 the court may require either of the parties to pay under a
28 temporary order or a final judgment or decree, and may include
29 alimony, child support, maintenance, and any other term used
30 to describe these obligations. For orders entered on or after
31 July 1, 1990, unless the court specifically orders otherwise,
32 medical support is not included in the monetary amount of
33 child support. The obligations may include support for a
34 child who is between the ages of eighteen and twenty-two years
35 who is regularly attending an accredited school in pursuance

1 of a course of study leading to a high school diploma or its
2 equivalent, ~~or-regularly-attending-a-course-of-vocational-~~
3 ~~technical-training-either-as-a-part-of-a-regular-school~~
4 ~~program-or-under-special-arrangements-adapted-to-the~~
5 ~~individual-person's-needs,-or-is,-in-good-faith,-a-full-time~~
6 ~~student-in-a-college,-university,-or-community-college,-or-has~~
7 ~~been-accepted-for-admission-to-a-college,-university,-or~~
8 ~~community-college-and-the-next-regular-term-has-not-yet-begun,-~~
9 or a child of any age who is dependent on the parties to the
10 dissolution proceedings because of physical or mental
11 disability.

12 Sec. 3. APPLICABILITY. This Act applies to initial orders
13 and decrees entered on or after July 1, 1995. For the
14 purposes of modification of an order or decree entered prior
15 to July 1, 1995, which includes a provision for the support of
16 a child between the ages of eighteen and twenty-two years for
17 education beyond study leading to a high school diploma or its
18 equivalent, the enactment of this Act constitutes a
19 substantial change of circumstances under section 598.21,
20 subsection 8, and is grounds for eligibility for
21 administrative modification pursuant to chapter 252H,
22 subchapter III.

23 EXPLANATION

24 This bill strikes the portion of the definition of
25 "support" or "support payments" which relates to the payment
26 of support, under a child support order or under an order
27 relating to a dissolution of marriage decree, for a child
28 between the ages of 18 and 22 years for education beyond study
29 leading to a high school diploma or its equivalent. The bill
30 also provides for applicability to initial and existing
31 support orders.

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