

3-9-95 *Hummer*

FILED MAR 9 1995

SENATE FILE 289
BY MADDOX

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

A BILL FOR

1 An Act relating to the disbursement of child support payments
2 made to the clerk of court or to the collection services
3 center and providing penalties and effective dates.

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

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S.F. 289

1 Section 1. Section 252B.15, Code 1995, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. Child support payments made to the
4 collection services center in accordance with an order being
5 enforced by the unit for an individual not otherwise eligible
6 as a public assistance recipient, and child support payments
7 made to the clerk of the district court pursuant to a court
8 order or judgment, shall be disbursed to the appropriate
9 individual by direct deposit of the support payments in a
10 checking account established by the individual as required by
11 this subsection. The individual named as the recipient of the
12 support payments on behalf of the child shall establish a
13 checking account for the exclusive purposes of deposit of
14 support payments received and use of the moneys as authorized
15 by this subsection, and shall provide the account number to
16 the collection services center or the clerk of the district
17 court of the county in which the order for support is filed,
18 as appropriate. Moneys deposited in the checking account
19 shall only be used for the support of the child for whom
20 support is ordered and for payment of any fees related to the
21 establishment and maintenance of the account. The recipient
22 of the support payments shall forward a copy of each canceled
23 check written against the account and each receipt of
24 withdrawal from the account within thirty days of the action,
25 to the obligor.

26 A person who willfully fails to comply with this section
27 may be cited and punished by the court for contempt and be
28 committed to the county jail for a period of time not to
29 exceed thirty days for each offense.

30 Sec. 2. NEW SECTION. 598.22B DISBURSEMENT OF SUPPORT
31 PAYMENTS.

32 Child support payments made to the collection services
33 center in accordance with an order being enforced by the child
34 support recovery unit for an individual not otherwise eligible
35 as a public assistance recipient, and child support payments

1 made to the clerk of the district court pursuant to a court
2 order or judgment, shall be disbursed to the appropriate
3 individual by direct deposit of the support payments in a
4 checking account established by the individual as required by
5 this section. The individual named as the recipient of the
6 support payments on behalf of the child shall establish a
7 checking account for the exclusive purposes of deposit of
8 support payments received and use of the moneys as authorized
9 by this section, and shall provide the account number to the
10 collection services center or to the clerk of the district
11 court of the county in which the order for support is filed,
12 as appropriate. Moneys deposited in the checking account
13 shall only be used for the support of the child for whom
14 support is ordered and for payment of any fees related to the
15 establishment and maintenance of the account. The recipient
16 of the support payments shall forward a copy of each canceled
17 check written against the account and each receipt of
18 withdrawal from the account within thirty days of the action,
19 to the person obligated to pay support.

20 A person who willfully fails to comply with this section
21 may be cited and punished by the court for contempt and be
22 committed to the county jail for a period of time not to
23 exceed thirty days for each offense.

24 Sec. 3. NOTIFICATION REQUIREMENTS. The child support
25 recovery unit and the clerk of the district court shall notify
26 all recipients and payors of child support of the requirements
27 of this Act.

28 Sec. 4. EFFECTIVE DATES.

29 1. Sections 1 and 2 of this Act take effect January 1,
30 1996.

31 2. Section 3 of this Act, being deemed of immediate
32 importance, takes effect upon enactment.

33 EXPLANATION

34 This bill requires that the collection services center in
35 disbursing child support payments received in accordance with

1 an order being enforced by the child support recovery unit for
2 an individual not otherwise eligible as a public assistance
3 recipient and the clerk of the district court dispersing child
4 support collected in accordance with a support order filed in
5 that county are only to disburse payments through direct
6 deposit of the support in a checking account established by
7 the recipient of the support for the exclusive purposes of the
8 depositing of the support payments to be used for the support
9 of the child. The recipient of the support payments is
10 required to provide the collection services center or the
11 clerk of the district court, as appropriate, with the account
12 number and is also required to provide the obligor with a copy
13 of each canceled check written against the account and each
14 receipt of withdrawal from the account. The bill also
15 provides for the citing of a person with contempt of court for
16 violating the requirements of the bill. Moneys in the account
17 shall only be used for support of the child and payment of
18 fees related to the account. The bill also requires that the
19 collection services center and the clerk of the district court
20 notify all recipients and payors of child support of the
21 requirements of the bill upon enactment, and provides that the
22 other requirements of the bill are effective January 1, 1996.

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