

FEB 5 1998

HUMAN RESOURCES

HOUSE FILE 2161
BY BRUNKHORST

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

A BILL FOR

1 An Act relating to the consideration of federal social security
2 benefits awarded to a child support obligor in determining
3 payment of a child support obligation.

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

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HF 2161

1 Section 1. Section 598.22, unnumbered paragraph 1, Code
2 Supplement 1997, is amended to read as follows:

3 Except as otherwise provided in section 598.22A, this
4 section applies to all initial or modified orders for support
5 entered under this chapter, chapter 234, 252A, 252C, 252F,
6 600B, or any other chapter of the Code. All orders or
7 judgments entered under chapter 234, 252A, 252C, 252F, or
8 600B, or under this chapter or any other chapter which provide
9 for temporary or permanent support payments shall direct the
10 payment of those sums to the clerk of the district court or
11 the collection services center in accordance with section
12 252B.14 for the use of the person for whom the payments have
13 been awarded. Payments to persons other than the clerk of the
14 district court and the collection services center do not
15 satisfy the support obligations created by the orders or
16 judgments, except as provided for trusts governed by the
17 federal Retirement Equity Act of 1984, Pub. L. No. 98-397, for
18 tax refunds or rebates in section 602.8102, subsection 47, or
19 for dependent benefits paid to the child support obligee as
20 the result of disability benefits awarded to the child support
21 obligor under the federal Social Security Act. However, the
22 amounts paid as dependent benefits to the child support
23 obligee under the federal Social Security Act shall not be
24 considered payment in lieu of the child support obligation
25 established under an order but may be considered as payment
26 toward the child support obligation owed. For trusts governed
27 by the federal Retirement Equity Act of 1984, Pub. L. No. 98-
28 397, the order for income withholding or notice of the order
29 for income withholding shall require the payment of such sums
30 to the alternate payee in accordance with the federal Act.

31 EXPLANATION

32 This bill provides that amounts paid to a child support
33 obligee through payment of dependent benefits paid as the
34 result of disability benefits awarded to the child support
35 obligor under the federal Social Security Act are not to be

1 considered as payment in lieu of the child support obligation
2 established under a child support order, but may be considered
3 as payment toward the obligation owed.

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