

MAR 12 1997
HUMAN RESOURCES

HOUSE FILE 572
BY HOLVECK

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

A BILL FOR

1 An Act relating to the assignment of unemployment compensation
2 for payment of child support.

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

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HF 572

1 Section 1. Section 96.3, subsection 9, Code 1997, is
2 amended to read as follows:

3 9. CHILD SUPPORT INTERCEPT.

4 a. An individual filing a claim for benefits under section
5 96.6, subsection 1 shall, at the time of filing, disclose
6 whether the individual owes a child support obligation ~~which~~
7 ~~is-being-enforced-by-the-child-support-recovery-unit~~
8 ~~established-in-section-252B-2~~. If an individual discloses
9 that such a child support obligation is owed and the
10 individual is determined to be eligible for benefits under
11 this chapter, the department shall notify the individual
12 entitled to receive payment of the child support or the child
13 support recovery unit of the individual's disclosure and
14 deduct and withhold from benefits payable to the individual
15 the amount specified by the individual.

16 b. However, if the individual entitled to receive payment
17 of the child support or the child support recovery unit and an
18 the individual owing a the child support obligation reach an
19 agreement to have specified amounts deducted and withheld from
20 the individual's benefits and the individual entitled to
21 receive payment of the child support or the child support
22 recovery unit submits a copy of the agreement to the
23 department, the department shall deduct and withhold the
24 specified amounts.

25 c. However, if the department is notified of an assignment
26 of income ~~by-the-child-support-recovery-unit~~ under chapter
27 252D or section 598.22 or 598.23 or is garnisheed by the
28 individual entitled to receive payment of the child support or
29 the child support recovery unit under chapter 642 and an
30 individual's benefits are condemned to the satisfaction of the
31 child support obligation ~~being-enforced-by-the-child-support~~
32 ~~recovery-unit~~, the department shall deduct and withhold from
33 the individual's benefits that amount required through legal
34 process.

35 Notwithstanding section 642.2, subsections 2, 3, 6, and 7

1 which restrict garnishments under chapter 642 to wages of
2 public employees, the department may be garnisheed under
3 chapter 642 by the individual entitled to receive payment of
4 the child support or the child support recovery unit
5 established in section 252B.2, pursuant to a judgment for
6 child support against an individual eligible for benefits
7 under this chapter.

8 Notwithstanding section 96.15, benefits under this chapter
9 are not exempt from income assignment, garnishment,
10 attachment, or execution if assigned to or garnisheed by the
11 individual entitled to receive payment of the child support or
12 the child support recovery unit, established in section
13 252B.2, or if an assignment under section 598.22 or 598.23 is
14 being enforced by ~~the child support recovery unit~~ to satisfy
15 the child support obligation of an individual who is eligible
16 for benefits under this chapter.

17 d. An amount deducted and withheld under paragraph "a",
18 "b", or "c" shall be paid by the department to the individual
19 entitled to receive payment of the child support or the child
20 support recovery unit, and shall be treated as if it were paid
21 to the individual as benefits under this chapter and as if it
22 were paid by the individual ~~to the child support recovery unit~~
23 in satisfaction of the individual's child support obligations.

24 e. If an agreement for reimbursement has been made, the
25 department shall be reimbursed by the child support recovery
26 unit for the administrative costs incurred by the department
27 under this section which are attributable to the enforcement
28 of child support obligations by the child support recovery
29 unit.

30 Sec. 2. Section 642.2, subsection 4, Code 1997, is amended
31 to read as follows:

32 4. Notwithstanding subsections 3 and 6, any moneys owed to
33 the child support obligor by the state and payments owed to
34 the child support obligor through the Iowa public employees'
35 retirement system are subject to garnishment, attachment,

1 execution, or assignment by an individual entitled to receive
2 payment of child support or the child support recovery unit if
3 the child support recovery unit is providing enforcement
4 services pursuant to chapter 252B.

5 EXPLANATION

6 This bill provides that if an individual owes a child
7 support obligation and is eligible for unemployment
8 compensation, the department of workforce development is
9 required to deduct and withhold from the benefits payable to
10 the individual the amount of child support owed, as specified
11 by the individual or as otherwise provided in the bill, if the
12 obligation is enforced by the child support recovery unit
13 (CSRU) or under a court order. The bill also changes the
14 garnishment section of the Code to allow for garnishment of
15 payments made to a child support obligor whether enforced by
16 the CSRU or under a court order.

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