

JAN 24 1997
JUDICIARY

HOUSE FILE 77
BY NELSON

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

A BILL FOR

1 An Act relating to postsecondary education costs under a child
2 support order.

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

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HF 77

1 Section 1. Section 598.21, subsection 4, paragraph a,
2 unnumbered paragraph 1, Code 1997, is amended to read as
3 follows:

4 Upon every temporary, permanent, or modified order or
5 judgment of annulment, dissolution, or separate maintenance,
6 the court may order either parent or both parents to pay an
7 amount reasonable and necessary for supporting a child. In
8 establishing the amount of support, consideration shall be
9 given to the responsibility of both parents to support and
10 provide for the welfare of the minor child and of a child's
11 need, whenever practicable, for a close relationship with both
12 parents. There shall be a rebuttable presumption that the
13 amount of child support which would result from the
14 application of the guidelines prescribed by the supreme court
15 is the correct amount of child support to be awarded. A
16 variation from the guidelines shall not be considered by a
17 court without a record or written finding, based on stated
18 reasons, that the guidelines would be unjust or inappropriate
19 as determined under the criteria prescribed by the supreme
20 court. In determining support for a child relating to payment
21 of postsecondary education expenses, the court shall require
22 that, if support for these expenses is ordered, each parent
23 shall contribute to the extent the parent is financially able.

24 EXPLANATION

25 This bill provides that if support for a child relating to
26 payment of postsecondary education expenses is ordered in a
27 temporary, permanent, or modified order or judgment of
28 annulment, dissolution, or separate maintenance, each parent
29 is to contribute as each is financially able.

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