

FILED FEB 3 2000

SENATE FILE

2085

BY JUDGE and FREEMAN

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

A BILL FOR

1 An Act providing for a rebuttable presumption regarding the
 2 percentage apportioned each party for payment of postsecondary
 3 education expenses under a postsecondary education subsidy.
 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2085 JUDICIARY

1 Section 1. Section 598.21, subsection 5A, paragraph a,
2 subparagraph (3), Code Supplement 1999, is amended to read as
3 follows:

4 (3) The child's expected contribution shall be deducted
5 from the cost of postsecondary education and the court shall
6 apportion responsibility for the remaining cost of
7 postsecondary education to each parent. The A rebuttable
8 presumption exists that the amount to be paid by each a parent
9 or the child shall not exceed thirty-three and one-third
10 percent of the total cost of postsecondary education.

11 Factors that the court shall consider in determining
12 whether the presumption is rebutted shall include all of the
13 following:

- 14 (a) The financial resources of each parent.
- 15 (b) The financial resources of the child.
- 16 (c) The health of the child.
- 17 (d) The scholastic aptitude of the child.
- 18 (e) Other factors the court determines to be relevant in
19 an individual case.

20 EXPLANATION

21 This bill establishes a rebuttable presumption in relation
22 to the apportionment of postsecondary education costs between
23 the parents and the child under a postsecondary education
24 subsidy. The bill provides that a rebuttable presumption
25 exists that each parent's and the child's apportionment of the
26 costs shall not exceed 33 1/3 percent of the total. The bill
27 provides that in considering whether the presumption is
28 rebutted, the court is to consider all of the following
29 factors: the financial resources of each parent, the
30 financial resources of the child, the health of the child, the
31 scholastic aptitude of the child, and other factors the court
32 determines to be relevant in the individual case.

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