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SENATE FILE 32
BY BRUNKHORST

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

A BILL FOR

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

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

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SF 32
HUMAN RESOURCES

1 Section 1. Section 252B.15, Code 2003, 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 eligible for
6 enforcement services as a public assistance recipient, and
7 child support payments made to the clerk of the district court
8 pursuant to a court order or judgment, shall be disbursed to
9 the appropriate individual by direct deposit of the support
10 payments in a customer asset account, as defined in section
11 527.2, established by the individual as required by this
12 subsection. The individual named as the recipient of the
13 support payments on behalf of the child shall establish a
14 customer asset account for the exclusive purposes of deposit
15 of support payments received and use of the moneys as
16 authorized by this subsection, and shall provide the account
17 number to the collection services center or the clerk of the
18 district court of the county in which the order for support is
19 filed, as appropriate. Moneys deposited in the customer asset
20 account shall only be used for the support of the child for
21 whom support is ordered and for payment of any fees related to
22 the establishment and maintenance of the account. The
23 recipient of the support payments shall forward a written
24 accounting of all canceled checks or receipts of transactions
25 written against the account and all receipts of withdrawal
26 from the account on or before January 1 of each year to the
27 obligor.

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

32 Sec. 2. NEW SECTION. 598.22D DISBURSEMENT OF SUPPORT
33 PAYMENTS.

34 Child support payments made to the collection services
35 center in accordance with an order being enforced by the child

1 support recovery unit for an individual not eligible for
2 enforcement services as a public assistance recipient, and
3 child support payments made to the clerk of the district court
4 pursuant to a court order or judgment, shall be disbursed to
5 the appropriate individual by direct deposit of the support
6 payments in a customer asset account, as defined in section
7 527.2, established by the individual as required by this
8 section. The individual named as the recipient of the support
9 payments on behalf of the child shall establish a customer
10 asset account for the exclusive purposes of deposit of support
11 payments received and use of the moneys as authorized by this
12 section, and shall provide the account number to the
13 collection services center or to the clerk of the district
14 court of the county in which the order for support is filed,
15 as appropriate. Moneys deposited in the customer asset
16 account shall only be used for the support of the child for
17 whom support is ordered and for payment of any fees related to
18 the establishment and maintenance of the account. The
19 recipient of the support payments shall forward a written
20 accounting of all canceled checks or receipts of other
21 transactions written against the account and all receipts of
22 withdrawal from the account on or before January 1 of each
23 year to the person obligated to pay support.

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

28 Sec. 3. NOTIFICATION REQUIREMENTS. The child support
29 recovery unit and the clerk of the district court shall notify
30 all recipients and payors of child support of the requirements
31 of this Act.

32 Sec. 4. EFFECTIVE DATES.

33 1. Sections 1 and 2 of this Act take effect January 1,
34 2004.

35 2. Section 3 of this Act, being deemed of immediate

1 importance, takes effect upon enactment.

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EXPLANATION

3 This bill requires that the collection services center in
4 disbursing child support payments received in accordance with
5 an order being enforced by the child support recovery unit for
6 an individual not eligible for enforcement services as a
7 public assistance recipient and the clerk of the district
8 court disbursing child support payments collected in
9 accordance with a support order filed in that county are only
10 to disburse payments through direct deposit of the support in
11 a customer asset account established by the recipient of the
12 support for the exclusive purposes of depositing of the
13 support payments and use of such deposits for the support of
14 the child. Moneys in the account shall only be used for
15 support of the child and payment of fees related to the
16 account. The recipient of the support payments is required to
17 provide the collection services center or the clerk of the
18 district court, as appropriate, with the account number and is
19 also required to provide the obligor with a written accounting
20 of all canceled checks and other receipts of transactions
21 written against the account and all receipts of withdrawal
22 from the account. The bill also provides for the citing of a
23 person with contempt of court for violating the requirements
24 of the bill. The bill also requires that the collection
25 services center and the clerk of the district court notify all
26 recipients and payors of child support of the requirements of
27 the bill upon enactment, and provides that the other
28 requirements of the bill are effective January 1, 2004.

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