

FILED MAR 17 '03

SENATE FILE 409
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1149)

Passed Senate, Date Passed 3/31/03 Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

Motion to Reconsider (Mull) 3-31-03

A BILL FOR

1 An Act providing for premarital and marital mediation agreements.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 409

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1 Section 1. NEW SECTION. 596A.1 MEDIATION AGREEMENTS --
2 REQUIREMENTS.

3 1. As used in this chapter, "premarital mediation
4 agreement" means an agreement between prospective spouses,
5 made in contemplation of marriage and to be effective upon
6 marriage, in which the prospective spouses agree to submit any
7 domestic relations dispute arising during the marriage to
8 mediation.

9 2. A premarital mediation agreement shall be in writing
10 and signed by both prospective spouses. It is enforceable
11 without consideration other than the marriage. Both parties
12 to the agreement shall execute all documents necessary to
13 enforce the agreement.

14 3. A premarital marriage agreement becomes effective upon
15 marriage of the parties.

16 4. Parties to an existing marriage may also enter into a
17 marital mediation agreement in which the spouses agree to
18 submit any domestic relations dispute arising during the
19 marriage to mediation. A marital mediation agreement entered
20 into by spouses shall be in writing and signed by both
21 parties. It is enforceable without consideration other than
22 marital consortium. Both parties to the agreement shall
23 execute all documents necessary to enforce the agreement.

24 5. Any mediation provided under a premarital mediation
25 agreement or marital mediation agreement shall comply with the
26 provisions of section 598.7A.

27 EXPLANATION

28 This bill provides for the execution of premarital and
29 marital mediation agreements.

30 The bill defines "premarital mediation agreement" as an
31 agreement between prospective spouses, made in contemplation
32 of marriage and to be effective upon marriage, in which the
33 prospective spouses agree to submit any domestic relations
34 dispute arising during the marriage to mediation. The bill
35 requires that a premarital mediation agreement be in writing

1 and signed by both prospective spouses. The agreement is
2 enforceable without consideration other than the marriage.
3 The bill provides that a premarital mediation agreement
4 becomes effective upon the marriage of the parties.

5 The bill also provides that parties to an existing marriage
6 may enter into a marital mediation agreement. A marital
7 mediation agreement is enforceable without consideration other
8 than marital consortium.

9 The bill provides that any mediation provided under any
10 mediation agreement is to comply with the existing provisions
11 regulating mediation under Code chapter 598 (dissolution of
12 marriage and domestic relations).

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Veenstra
Boettger
Ragan

Human Resources

SCR 1149
Succeeded By
HF 409

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON VEENSTRA)

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

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