

# House File 780 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 132)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the issuance of temporary orders modifying an  
2 order of child support.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1258HV 82  
5 pf/je/5

PAG LIN

1 1 Section 1. Section 598.21C, Code 2007, is amended by  
1 2 adding the following new subsection:  
1 3 NEW SUBSECTION. 3A. TEMPORARY MODIFICATION OF CHILD  
1 4 SUPPORT ORDERS. While an application for modification of a  
1 5 child support or child custody order is pending, the court  
1 6 may, on its own motion or upon application by either party,  
1 7 enter a temporary order modifying an order of child support.  
1 8 The court may enter such temporary order only after service of  
1 9 the original notice, and an order shall not be entered until  
1 10 at least five days' notice of hearing and opportunity to be  
1 11 heard, is provided to all parties. In entering temporary  
1 12 orders under this subsection, the court shall consider all  
1 13 pertinent matters, which may be demonstrated by affidavits, as  
1 14 the court may direct. The hearing on application shall be  
1 15 limited to matters set forth in the application, the  
1 16 affidavits of the parties, and any required statements of  
1 17 income. The court shall not hear any other matter relating to  
1 18 the application for modification, respondent's answer, or any  
1 19 pleadings connected with the application for modification or  
1 20 the answer. This subsection shall also apply to an order,  
1 21 decree, or judgment entered or pending on or before July 1,  
1 22 2007, and shall apply to an order entered under this chapter,  
1 23 chapter 252A, 252C, 252F, 252H, 252K, or 600B, or any other  
1 24 applicable chapter of the Code.

### EXPLANATION

1 26 This bill authorizes the court to temporarily modify a  
1 27 child support order when an application to modify a child  
1 28 support or child custody order is pending. The bill provides  
1 29 for notice of the parties and limits the matters which may be  
1 30 addressed by the court in entering the temporary order. The  
1 31 bill applies to orders, decrees, and judgments entered or  
1 32 pending on or before July 1, 2007, and applies to orders  
1 33 entered under Code chapter 598 and other applicable chapters  
1 34 of the Code.  
1 35 LSB 1258HV 82  
2 1 pf:nh/je/5