SENATE FILE 2144 BY BEALL and BLACK

A BILL FOR

- 1 An Act relating to the exclusion of veterans' disability
- 2 compensation from the claims of creditors and in calculating
- 3 property disposition and support obligations.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 252B.7A, Code 2009, is amended by adding 2 the following new subsection:

3 <u>NEW SUBSECTION</u>. 1A. Disability compensation received by a 4 party from the United States department of veterans' affairs 5 for service-related injuries shall not be considered income 6 for the purposes of determining a parent's income under this 7 section.

8 Sec. 2. Section 598.11, Code 2009, is amended by adding the 9 following new subsection:

NEW SUBSECTION. 4. The court shall not consider disability compensation received by a party from the United States department of veterans' affairs for service-related injuries in determining the amount of temporary support awarded under this section.

15 Sec. 3. Section 598.13, Code 2009, is amended by adding the 16 following new subsection:

NEW SUBSECTION. 3. Disability compensation received by a l8 party from the United States department of veterans' affairs l9 for service-related injuries shall not be considered income or 20 property for the purposes of disclosing the financial status 21 of such party.

22 Sec. 4. Section 598.21, Code Supplement 2009, is amended by 23 adding the following new subsection:

24 NEW SUBSECTION. 6A. Veterans' disability

25 compensation. Disability compensation received by a party 26 from the United States department of veterans' affairs for 27 service-related injuries shall not be considered property for 28 the purposes of this section.

29 Sec. 5. Section 598.21A, Code 2009, is amended by adding the 30 following new subsection:

31 <u>NEW SUBSECTION</u>. 3. *Veterans' disability* 32 *compensation*. Disability compensation received by a party 33 from the United States department of veterans' affairs for 34 service-related injuries shall not be considered income for 35 the purposes of this section.

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1 Sec. 6. Section 598.21B, subsection 2, paragraph b, Code 2 Supplement 2009, is amended by adding the following new 3 subparagraph: 4 NEW SUBPARAGRAPH. (4) For purposes of calculating a support 5 obligation under this section, disability compensation received 6 by a party from the United States department of veterans' 7 affairs for service-related injuries shall not be considered 8 income. 9 Sec. 7. Section 598.21C, Code Supplement 2009, is amended by 10 adding the following new subsection: 1A. Veterans' disability 11 NEW SUBSECTION. 12 compensation. Changes in the amount of disability compensation 13 received by a party from the United States department of 14 veterans' affairs for service-related injuries shall not be 15 considered a substantial change in circumstances for the 16 purposes of this section. Sec. 8. Section 627.6, subsection 8, paragraph b, Code 2009, 17 18 is amended to read as follows: b. A veteran's benefit including disability compensation 19 20 received by the debtor from the United States department of 21 veterans' affairs for service-related injuries. 627.14 Veterans' disability 22 Sec. 9. NEW SECTION. 23 compensation. Any disability compensation received by a person from 24 25 the United States department of veterans' affairs for 26 service-related injuries is exempt from garnishment, 27 attachment, execution, and assignment of income, except for 28 the purposes of enforcing child, spousal, or medical support 29 obligations. 30 EXPLANATION 31 This bill excludes from the claims of creditors and the 32 calculation of property disposition and support obligations 33 under dissolution of marriage and child support determinations, 34 disability compensation received by a party from the United 35 States department of veterans' affairs for service-related

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LSB 6034XS (1) 83 rh/nh 1 injuries. United States department of veterans' affairs
2 disability compensation, in general, is a benefit paid to a
3 veteran due to injuries or diseases that were incurred in or
4 aggravated by military service.

5 The bill also excludes such disability compensation from 6 garnishment, attachment, execution, and assignment of income, 7 except for the purposes of enforcing child, spousal, or medical 8 support obligations.

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