

Senate File 2054 - Introduced

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BY DANIELSON

A BILL FOR

1 An Act relating to the calculation of a child support
2 obligation based on voluntary unemployment or
3 underemployment.

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

1 Section 1. Section 598.21B, subsection 2, paragraph b, Code
2 2011, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (4) For the purposes of calculating
4 a support obligation under this section, if a party is
5 voluntarily unemployed or underemployed, the child support
6 obligation shall be calculated based on a determination of
7 income earning potential, unless the party is physically
8 or mentally incapacitated. A party shall not be deemed
9 voluntarily unemployed or underemployed if the party has been
10 temporarily unable to find employment or has been temporarily
11 forced to take a lower paying position due to economic
12 conditions.

13 EXPLANATION

14 This bill provides that in the calculation of a child
15 support obligation, if a party is voluntarily unemployed or
16 underemployed, the child support obligation shall be calculated
17 based on a determination of income earning potential, unless
18 the party is physically or mentally incapacitated. However, a
19 party is not deemed voluntarily unemployed or underemployed if
20 the party has been temporarily unable to find employment or has
21 been temporarily forced to take a lower paying position due to
22 economic conditions.