

Senate Study Bill 1101 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act relating to child support recovery.

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

1 Section 1. Section 252D.18, subsection 3, Code 2011, is
2 amended to read as follows:

3 3. The court or the child support recovery unit may,
4 by ex parte order, terminate an income withholding order
5 when the current support obligation has terminated and when
6 the delinquent support obligation has been fully satisfied
7 as applicable to all of the children covered by the income
8 withholding order. The unit may, by ex parte order, terminate
9 an income withholding order when the unit will no longer be
10 providing services under chapter 252B, or when a foreign
11 jurisdiction will be providing services under Tit. IV-D of the
12 federal Social Security Act.

13 Sec. 2. Section 252H.2, subsection 2, paragraph g, Code
14 2011, is amended to read as follows:

15 g. *"Determination of controlling order"* means the process
16 of identifying a child support order which must be recognized
17 pursuant to section 252K.207 and 28 U.S.C. § 1738B, when
18 more than one state has issued a support order for the same
19 child and the same obligor, and may include a reconciliation
20 of arrearages with information related to the calculation.
21 Registration of a foreign order is not necessary for a court or
22 the unit to make a determination of controlling order.

23 Sec. 3. Section 252H.14A, subsection 3, Code 2011, is
24 amended to read as follows:

25 3. Upon completion of the review, the unit shall issue a
26 notice of decision to each parent, or if applicable, to each
27 parent's attorney. The notice shall be served in accordance
28 with the rules of civil procedure or as provided in section
29 252B.26, except that a parent requesting a review pursuant to
30 section 252H.13 shall waive the right to personal service of
31 the notice in writing and accept service by regular mail. If
32 the service by regular mail does not occur within ninety days
33 of the written waiver of personal service, personal service of
34 the notice is required unless a new waiver of personal service
35 is obtained.

S.F. _____ H.F. _____

1 that a conference, following issuance of a notice of the
2 conference, be no earlier than 10 days following issuance of
3 the notice by the child support recovery unit, if an individual
4 and the unit agree to an earlier date which may be the same date
5 the individual requests the conference.