

House Study Bill 32 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to support of the poor by certain relatives.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 252.13, Code 2015, is amended to read as
2 follows:

3 **252.13 Recovery by county.**

4 ~~1.~~ Any county having expended money for the assistance or
5 support of a poor person under this chapter, may recover the
6 money ~~from any of the following~~ as follows:

7 ~~a. From~~ 1. If the poor person is living, from the person
8 if the person becomes able, or from the person's estate.

9 ~~b. From relatives by action brought within two years from~~
10 ~~the payment of the assistance or support.~~

11 ~~c. From the poor person by action brought within two years~~
12 ~~after the person becomes able.~~

13 ~~d. From~~ 2. a. If the poor person is deceased, from the
14 person's estate, by filing the claim as provided by law.

15 ~~2. b.~~ There shall be allowed against the person's estate
16 a claim of the sixth class for that portion of the liability
17 to the county which exceeds the total amount of all claims of
18 the first through the fifth classes, inclusive, as defined in
19 section 633.425, which are allowed against that estate.

20 Sec. 2. Section 600B.1, Code 2015, is amended to read as
21 follows:

22 **600B.1 Obligation of parents.**

23 The parents of a child born out of wedlock and not
24 legitimized (in this chapter referred to as "the child") owe
25 the child necessary maintenance, education, and support. They
26 are also liable for the child's funeral expenses. The father
27 is also liable to pay the expense of the mother's pregnancy and
28 confinement. ~~The obligation of the parent to support the child~~
29 ~~under the laws for the support of poor relatives applies to~~
30 ~~children born out of wedlock.~~

31 Sec. 3. REPEAL. Sections 252.2, 252.3, 252.4, 252.5, 252.6,
32 252.7, 252.8, 252.9, and 252.15, Code 2015, are repealed.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill amends and repeals portions of Code chapter
2 252 (support of the poor) and makes other conforming changes
3 to eliminate the liability of any relative (father, mother,
4 children, grandparent, grandchild, or more distant relative)
5 of the poor person for support of the poor person or recovery
6 from such relative of money expended by the county for the
7 poor person. Under the bill, only the poor person is liable
8 for repayment of money expended by the county on behalf of the
9 poor person. The county may recover moneys expended for the
10 assistance or support of a poor person from the poor person
11 while living, if the person becomes able and the action to
12 recover is filed within two years after the person becomes
13 able; or, if the poor person is deceased, from the person's
14 estate by filing the claim as provided by law.