

Senate File 2237 - Introduced

SENATE FILE 2237

BY SINCLAIR

(COMPANION TO HF 2010 BY WOLFE)

A BILL FOR

1 An Act relating to the elimination of the child support
2 licensing sanctions process.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 252B.1, Code 2020, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 7A. *“Support”* means support or support
4 payments as defined in section 252D.16, whether established
5 through court or administrative order.

6 NEW SUBSECTION. 7B. *“Support order”* means an order for
7 support issued pursuant to chapter 232, 234, 252A, 252C, 252D,
8 252E, 252F, 252H, 598, 600B, or any other applicable chapter,
9 or under a comparable statute of another state or foreign
10 country as registered with the clerk of the district court or
11 certified to the child support recovery unit.

12 Sec. 2. Section 252B.3, subsection 1, Code 2020, is amended
13 to read as follows:

14 1. Upon receipt by the department of an application for
15 public assistance on behalf of a child and determination by the
16 department that the child is eligible for public assistance and
17 that provision of child support services is appropriate, the
18 department shall take appropriate action under the provisions
19 of [this chapter](#) or under other appropriate statutes of this
20 state including but not limited to [chapters 239B, 252A, 252C,](#)
21 [252D, 252E, 252F, 252G, 252H, 252I, 252J,](#) 598, and 600B, to
22 ensure that the parent or other person responsible for the
23 support of the child fulfills the support obligation. The
24 department shall also take appropriate action as required by
25 federal law upon receiving a request from a child support
26 agency for a child receiving public assistance in another
27 state.

28 Sec. 3. Section 252B.5, subsection 12, paragraph a, Code
29 2020, is amended to read as follows:

30 a. In compliance with federal procedures, periodically
31 certify to the secretary of the United States department of
32 health and human services, a list of the names of obligors
33 determined by the unit to owe delinquent support, under a
34 support order as defined in ~~section 252J.1~~, in excess of
35 two thousand five hundred dollars. The certification of

1 the delinquent amount owed may be based upon one or more
2 support orders being enforced by the unit if the delinquent
3 support owed exceeds two thousand five hundred dollars. The
4 certification shall include any amounts which are delinquent
5 pursuant to the periodic payment plan when a modified order has
6 been retroactively applied. The certification shall be in a
7 format and shall include any supporting documentation required
8 by the secretary.

9 Sec. 4. Section 252B.9, subsection 1, paragraph a, Code
10 2020, is amended to read as follows:

11 a. The director may request from state, county, and local
12 agencies information and assistance deemed necessary to carry
13 out the provisions of [this chapter](#). State, county, and local
14 agencies, officers, and employees shall cooperate with the
15 unit and shall on request supply the department with available
16 information relative to the absent parent, the custodial
17 parent, and any other necessary party, notwithstanding any
18 provisions of law making this information confidential. The
19 cooperation and information required by [this subsection](#) shall
20 also be provided when it is requested by a child support
21 agency. Information required by [this subsection](#) includes, but
22 is not limited to, information relative to location, income,
23 property holdings, ~~records of licenses as defined in section~~
24 ~~252J.1,~~ and records concerning the ownership and control of
25 corporations, partnerships, and other business entities. If
26 the information is maintained in an automated database, the
27 unit shall be provided automated access.

28 Sec. 5. Section 252B.9, subsection 1, paragraph f,
29 subparagraph (6), Code 2020, is amended by striking the
30 subparagraph.

31 Sec. 6. Section 252B.9, subsection 4, Code 2020, is amended
32 to read as follows:

33 4. Nothing in [this chapter](#), [chapter 252A](#), [252C](#), [252D](#), [252E](#),
34 [252F](#), [252G](#), [252H](#), [252I](#), ~~[252J](#)~~, or [252K](#), or any other comparable
35 chapter or law shall preclude the unit from exchanging any

1 information, notice, document, or certification with any
2 government or private entity, if the exchange is not otherwise
3 prohibited by law, through mutually agreed upon electronic data
4 transfer rather than through other means.

5 Sec. 7. Section 252I.1, subsection 3, Code 2020, is amended
6 to read as follows:

7 3. "*Court order*" means ~~"support order" as defined in~~
8 section 252J.1 an order for support issued pursuant to chapter
9 232, 234, 252A, 252C, 252D, 252E, 252F, 252H, 598, 600B, or
10 any other applicable chapter, or under a comparable statute
11 of another state or foreign country as registered with the
12 clerk of the district court or certified to the child support
13 recovery unit.

14 Sec. 8. Section 272D.1, subsection 2, Code 2020, is amended
15 to read as follows:

16 2. "*Liability*" means a debt or obligation placed with the
17 unit for collection that is greater than one thousand dollars.
18 ~~For purposes of this chapter "liability" does not include~~
19 ~~support payments collected pursuant to chapter 252J.~~

20 Sec. 9. Section 321.218, subsection 1, Code 2020, is amended
21 to read as follows:

22 1. A person whose driver's license or operating privilege
23 has been denied, canceled, suspended, or revoked as provided
24 in this chapter ~~or as provided in section 252J.8~~, and who
25 operates a motor vehicle upon the highways of this state while
26 the license or privilege is denied, canceled, suspended, or
27 revoked, commits a simple misdemeanor. In addition to any
28 other penalties, the punishment imposed for a violation of
29 this subsection shall include assessment of a fine of not less
30 than two hundred fifty dollars nor more than one thousand five
31 hundred dollars.

32 Sec. 10. Section 321.218, subsection 3, paragraph a, Code
33 2020, is amended to read as follows:

34 a. The department, upon receiving the record of the
35 conviction of a person under this section upon a charge of

1 operating a motor vehicle while the license of the person is
2 suspended or revoked, shall, except for licenses suspended
3 under section ~~252J.8~~, 321.210, subsection 1, paragraph "a",
4 subparagraph (3), or section 321.210A or 321.513, extend the
5 period of suspension or revocation for an additional like
6 period or for one year, whichever period is shorter, and the
7 department shall not issue a new driver's license to the person
8 during the extended period.

9 Sec. 11. REPEAL. Chapter 252J, Code 2020, is repealed.

10 EXPLANATION

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

13 This bill repeals Code chapter 252J (child support —
14 licensing sanctions) and makes conforming changes throughout
15 the Code to reflect the repeal. The Code chapter allows the
16 child support recovery unit to sanction recreational, business,
17 industry, professional, occupational, and driver's licenses,
18 and motor vehicle registrations, for payors of support for the
19 benefit of a child who owe three months' worth of support or
20 more.