

House File 416 - Introduced

HOUSE FILE 416
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 11)

A BILL FOR

- 1 An Act relating to support of a child including support
- 2 relative to the child's completion of high school graduation
- 3 or equivalency requirements.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 239B.1, subsection 3, Code 2021, is
2 amended to read as follows:

3 3. "*Child*" means an unmarried person who is less than
4 eighteen years of age or an unmarried person who ~~is eighteen~~
5 ~~years of age and~~ is engaged full-time in completing high school
6 graduation or equivalency requirements ~~in a manner which~~
7 is so long as such full-time engagement is continuous and
8 reasonably expected to result in completion of the requirements
9 ~~prior to the person reaching nineteen years of age, until the~~
10 person reaches nineteen years of age or completes high school
11 graduation or equivalency requirements, whichever occurs first.

12 Sec. 2. Section 252A.3, subsections 2 and 11, Code 2021, are
13 amended to read as follows:

14 2. A parent is liable for the support of the parent's
15 child or children under eighteen years of age, whenever the
16 other parent of such child or children is dead, or cannot be
17 found, or is incapable of supporting the child or children,
18 and, if the liable parent is possessed of sufficient means
19 or able to earn the means. The court having jurisdiction of
20 the respondent in a proceeding instituted under [this chapter](#)
21 shall establish the respondent's monthly support payment and
22 the amount of the support debt accrued and accruing pursuant
23 to [section 598.21B](#). The support obligation shall include
24 support of a parent's child ~~between the ages of eighteen and~~
25 ~~nineteen years~~ if the child is engaged full-time in completing
26 high school graduation or equivalency requirements ~~in a manner~~
27 ~~which is~~ so long as such full-time engagement is continuous and
28 reasonably expected to result in completion of the requirements
29 ~~prior to the person reaching,~~ until the person reaches nineteen
30 years of age or completes high school graduation or equivalency
31 requirements, whichever occurs first.

32 11. If paternity of a child born out of wedlock is
33 established as provided in [subsection 10](#), the court shall
34 establish the respondent's monthly support payment and the
35 amount of the support debt accrued and accruing pursuant to

1 section 598.21B. The support obligation shall include support
2 of the child ~~between the ages of eighteen and nineteen years~~
3 if the child is engaged full-time in completing high school
4 graduation or equivalency requirements ~~in a manner which is so~~
5 long as such full-time engagement is continuous and reasonably
6 expected to result in completion of the requirements prior to
7 the person reaching, until the person reaches nineteen years
8 of age or completes high school graduation or equivalency
9 requirements, whichever occurs first.

10 Sec. 3. Section 252F.1, subsection 2, Code 2021, is amended
11 to read as follows:

12 2. "*Child*" means a person who is less than age eighteen or
13 a person who ~~is age eighteen but less than age nineteen and~~
14 is engaged full-time in completing high school graduation or
15 equivalency requirements ~~in a manner which is so long as such~~
16 full-time engagement is continuous and reasonably expected to
17 result in completion of the requirements prior to the person
18 reaching age nineteen, until the person reaches nineteen years
19 of age or completes high school graduation or equivalency
20 requirements, whichever occurs first.

21 Sec. 4. Section 252H.12, subsection 2, Code 2021, is amended
22 to read as follows:

23 2. The support order provides for the ongoing support of at
24 least one child under the age of eighteen or a child ~~between~~
25 ~~the ages of eighteen and nineteen who has not yet graduated~~
26 ~~from high school but~~ who is engaged full-time in completing
27 high school graduation or equivalency requirements so long as
28 such full-time engagement is continuous and reasonably expected
29 to graduate from high school before attaining the age of result
30 in completion of the requirements, until the person reaches
31 nineteen years of age or completes high school graduation or
32 equivalency requirements, whichever occurs first.

33 Sec. 5. Section 252H.22, subsection 2, Code 2021, is amended
34 to read as follows:

35 2. The support order provides for the ongoing support of at

1 least one child under the age of eighteen or a child ~~between~~
2 ~~the ages of eighteen and nineteen who has not yet graduated~~
3 ~~from high school but~~ who is engaged full-time in completing
4 high school graduation or equivalency requirements so long as
5 such full-time engagement is continuous and reasonably expected
6 ~~to graduate from high school before attaining the age of result~~
7 in completion of the requirements, until the person reaches
8 nineteen years of age or completes high school graduation or
9 equivalency requirements, whichever occurs first.

10 Sec. 6. Section 598.1, subsection 9, Code 2021, is amended
11 to read as follows:

12 9. "*Support*" or "*support payments*" means an amount which
13 the court may require either of the parties to pay under a
14 temporary order or a final judgment or decree, and may include
15 alimony, child support, maintenance, and any other term used
16 to describe these obligations. For orders entered on or after
17 July 1, 1990, unless the court specifically orders otherwise,
18 medical support is not included in the monetary amount of child
19 support. ~~The~~ For orders entered on or after July 1, 2021,
20 obligations shall include support for a child who is between
21 until the ages of child reaches eighteen and nineteen years who
22 of age, or for a child who is engaged full-time in completing
23 high school graduation or equivalency requirements in a manner
24 ~~which~~ so long as such full-time engagement is continuous and
25 reasonably expected to result in completion of the requirements
26 ~~prior to,~~ until the person reaching child reaches nineteen
27 years of age or completes high school graduation or equivalency
28 requirements, whichever occurs first; and may include support
29 for a child of any age who is dependent on the parties to
30 the dissolution proceedings because of physical or mental
31 disability.

32 Sec. 7. Section 600B.25, subsection 1, Code 2021, is amended
33 to read as follows:

34 1. Upon a finding of paternity pursuant to [section 600B.24](#),
35 the court shall establish the father's monthly support payment

1 and the amount of the support debt accrued or accruing pursuant
2 to [section 598.21B](#). The support obligation shall include
3 support of the child ~~between the ages of eighteen and nineteen~~
4 ~~years~~ if the child is engaged full-time in completing high
5 school graduation or equivalency requirements ~~in a manner which~~
6 ~~is~~ so long as such full-time engagement is continuous and
7 reasonably expected to result in completion of the requirements
8 prior to the person reaching nineteen years of age, until the
9 person reaches nineteen years of age or completes high school
10 graduation or equivalency requirements, whichever occurs first.
11 The court may order the father to pay amounts the court deems
12 appropriate for the past support and maintenance of the child
13 and for the reasonable and necessary expenses incurred by or
14 for the mother in connection with prenatal care, the birth of
15 the child, and postnatal care of the child and the mother, and
16 other medical support as defined in [section 252E.1](#). The court
17 may award the prevailing party the reasonable costs of suit,
18 including but not limited to reasonable attorney fees.

19 EXPLANATION

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

22 This bill provides that the definition of "support" or
23 "support payments" for orders entered on or after July 1,
24 2021, includes obligations for support of a child until age
25 18, or for a child who is engaged full-time in completing high
26 school graduation or equivalency requirements so long as such
27 full-time engagement is continuous and reasonably expected
28 to result in completion of the requirements, until the child
29 reaches 19 years of age or completes high school graduation or
30 equivalency requirements, whichever occurs first. Current law
31 provides that the obligations for support or support payments
32 include support for a child who is between the ages of 18 and
33 19 years who is engaged full-time in completing high school
34 graduation or equivalency requirements in a manner which is
35 reasonably likely expected to result in completion of the

H.F. 416

1 requirements prior to the person reaching 19 years of age.

2 The bill makes conforming changes throughout the Code to
3 reflect changes in the definition of "support" or "support
4 payments" in the bill.