

**House File 511 - Introduced**

HOUSE FILE 511  
BY WILLS

**A BILL FOR**

1 An Act relating to a father's obligation for payment of expenses  
2 including those related to a mother's pregnancy and the birth  
3 of a child born out of wedlock.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 252A.6A, subsection 1, paragraph a, Code  
2 2025, is amended to read as follows:

3 a. Except with the consent of all parties, the trial shall  
4 not be held until after the birth of the child and shall be  
5 held no earlier than twenty days from the date the respondent  
6 is served with notice of the action ~~or, if.~~ Any blood or  
7 genetic tests of the child, mother, or alleged father shall not  
8 be conducted until after the child's birth. If blood or genetic  
9 tests are conducted, the trial shall be held no earlier than  
10 thirty days from the date the test results are filed with the  
11 clerk of the district court as provided under section 600B.41.

12 Sec. 2. Section 600B.1, Code 2025, is amended to read as  
13 follows:

14 **600B.1 Obligation of parents.**

15 The parents of a child born out of wedlock and not legitimized  
16 ~~(in this chapter referred to as "the child")~~ owe the child  
17 necessary maintenance, education, and support. ~~They~~ The parents  
18 are also liable for the child's funeral expenses. The father is  
19 also liable to pay the ~~expense~~ expenses of the mother's pregnancy  
20 and ~~confinement~~ the child's birth.

21 Sec. 3. Section 600B.4, Code 2025, is amended to read as  
22 follows:

23 **600B.4 Recovery by others than mother.**

24 The obligation of the father ~~as hereby provided~~ also creates  
25 ~~also~~ a cause of action on behalf of the legal representative  
26 of the mother, or on behalf of third persons furnishing support  
27 or defraying the reasonable expenses ~~thereof~~ of support, where  
28 paternity has been judicially established by proceedings brought  
29 by the mother or by or on behalf of the child or by the  
30 authorities charged with ~~its~~ the child's support, or where  
31 paternity has been acknowledged by the father in writing or by  
32 the part performance of the obligations imposed upon ~~him~~ the  
33 father.

34 Sec. 4. Section 600B.6, Code 2025, is amended to read as  
35 follows:

1       **600B.6 Liability of the father's estate.**

2       The obligation of the father, when his paternity has been  
3 judicially established in his lifetime, or has been acknowledged  
4 by him in writing or by the part performance of his obligations,  
5 is enforceable against his the father's estate in such an amount  
6 ~~as the court may determine~~ determined by the court, ~~having regard~~  
7 ~~to~~ considering the age of the child, the ability of the mother to  
8 support ~~it~~ the child, the amount of property left by the father,  
9 the number, age, and financial condition of the lawful issue, if  
10 any, and the rights of the widow, if any. The court may direct  
11 the discharge of the obligation by periodical payments or by the  
12 payment of a lump sum.

13       Sec. 5. Section 600B.7, Code 2025, is amended to read as  
14 follows:

15       **600B.7 Proceedings to establish paternity.**

16       Proceedings to establish paternity and to compel support by  
17 the father may be brought in accordance with the provisions of  
18 this chapter. ~~They~~ The proceedings shall not be exclusive of  
19 other proceedings that may be available on principles of law and  
20 equity.

21       Sec. 6. Section 600B.8, Code 2025, is amended to read as  
22 follows:

23       **600B.8 Who may institute proceedings.**

24       The proceedings may be brought by the mother, or other  
25 interested person, or if the child is or is likely to be a  
26 public charge, by the authorities charged with ~~its~~ the child's  
27 support. ~~After the death of the mother or in~~ In the case of her  
28 the mother's death or disability, ~~it~~ the proceedings may also be  
29 brought by the child acting through ~~its~~ the child's guardian or  
30 next friend.

31       Sec. 7. Section 600B.9, Code 2025, is amended to read as  
32 follows:

33       **600B.9 Time of instituting proceedings.**

34       The proceedings may be instituted during the pregnancy of the  
35 mother or after the birth of the child, but, except with the

1 consent of all parties, the trial shall not be held until after  
2 the birth of the child and shall be held no earlier than twenty  
3 days from the date the alleged father is served with notice of  
4 the action ~~or, if.~~ Any blood or genetic tests of the child,  
5 mother, or alleged father shall not be conducted until after the  
6 child's birth. If blood or genetic tests are conducted, the  
7 trial shall be held no earlier than thirty days from the date  
8 the test results are filed with the clerk of the district court  
9 as provided under section 600B.41.

10 Sec. 8. Section 600B.13, Code 2025, is amended to read as  
11 follows:

12 **600B.13 Form of complaint — verification.**

13 The complaint may be made in writing, or ~~oral~~ orally and  
14 in the presence of the complainant reduced to writing by the  
15 prosecuting attorney. ~~It~~ The complaint shall be verified by oath  
16 or affirmation of the complainant.

17 Sec. 9. Section 600B.16, Code 2025, is amended to read as  
18 follows:

19 **600B.16 Lis pendens.**

20 From the time of the filing of ~~such a~~ a complaint, a lien shall  
21 be created upon the real property of the ~~accused~~ defendant in the  
22 county where the action is pending for the payment of any money  
23 and the performance of any order adjudged by the proper court.

24 Sec. 10. Section 600B.17, Code 2025, is amended to read as  
25 follows:

26 **600B.17 Writ of attachment.**

27 The district court may order an attachment to issue ~~thereon~~  
28 upon the real property of the defendant without bond, which.  
29 The order shall specify the amount of property to be seized  
30 ~~thereunder,~~ and may be revoked at any time by ~~such~~ the court on  
31 a showing made for a revocation of the ~~same~~ order, and on such  
32 terms as ~~such~~ the court may deem proper in the premises.

33 Sec. 11. Section 600B.19, Code 2025, is amended to read as  
34 follows:

35 **600B.19 County attorney to prosecute.**

1 The county attorney, ~~on~~ upon being notified of the facts  
2 justifying a complaint as provided in this chapter, or of the  
3 filing of ~~such~~ a complaint, shall prosecute the matter ~~in~~ on  
4 behalf of the complainant.

5 Sec. 12. Section 600B.21, Code 2025, is amended to read as  
6 follows:

7 **600B.21 Death, ~~absence or~~ mental illness, or absence of**  
8 **mother — testimony receivable.**

9 If after the complaint is filed the mother dies ~~or becomes~~  
10 ~~mentally ill~~, is diagnosed with a mental illness, or cannot be  
11 found within the jurisdiction, the proceeding does not abate, but  
12 the child shall be substituted as the complainant. The testimony  
13 of the mother taken by deposition as ~~in other civil cases~~, may in  
14 ~~any such case~~ be read as evidence and ~~in all cases~~ such testimony  
15 shall be read as evidence if demanded by the defendant.

16 Sec. 13. Section 600B.22, Code 2025, is amended to read as  
17 follows:

18 **600B.22 Death of defendant.**

19 In case of the death of the defendant, the action may be  
20 prosecuted against the personal representative of the deceased  
21 ~~with like effects~~ as if the defendant were living, subject as  
22 ~~regards to the measure amount~~ of support ~~to the provision of~~  
23 determined by the court under section 600B.6.

24 Sec. 14. Section 600B.25, Code 2025, is amended to read as  
25 follows:

26 **600B.25 Form of judgment — contents of support order —**  
27 **medical support — uncovered medical expenses — other expenses**  
28 **related to pregnancy and birth — evidence — costs.**

29 1. Upon a finding of paternity pursuant to section 600B.24,  
30 ~~the~~ all of the following shall apply:

31 a. The court shall establish the father's monthly child  
32 support payment and the amount of the support debt accrued  
33 or accruing pursuant to section 598.21B, and shall establish  
34 medical support pursuant to chapter 252E. The child support  
35 obligation shall include support of the child between the ages

1 of eighteen and nineteen years if the child is engaged full-time  
2 in completing high school graduation or equivalency requirements  
3 in a manner which is reasonably expected to result in completion  
4 of the requirements prior to the person reaching nineteen years  
5 of age.

6 b. The court may order the father to pay amounts the court  
7 deems appropriate for the past support and maintenance of the  
8 child and for the reasonable and necessary uncovered medical  
9 expenses incurred by or for the mother in connection with  
10 prenatal care, the mother's pregnancy and the birth of the  
11 child, and postnatal care of the child and the mother, and  
12 other medical support as defined in section 252E.1. Absent good  
13 cause or agreement of the parties, any amount the court orders  
14 the father to pay toward uncovered medical expenses related to  
15 the mother's pregnancy and the birth of the child shall be  
16 established in proportion to each parent's respective net income  
17 as calculated under the child support guidelines established  
18 pursuant to section 598.21B, and shall take into account any  
19 amount the father previously paid toward such uncovered medical  
20 expenses.

21 c. The court may order the father to pay a separate amount  
22 toward any other reasonable and necessary expenses incurred by  
23 the mother related to the mother's pregnancy prior to the birth  
24 of the child, and incurred by the mother to provide essential  
25 items for the health, well-being, and safety of the newborn.

26 d. The court may award the prevailing party the reasonable  
27 costs of suit, including but not limited to reasonable attorney  
28 fees.

29 2. A copy of a bill for the ~~costs of prenatal care or~~  
30 uncovered medical expenses incurred by or for the mother in  
31 connection with the mother's pregnancy and the birth of the child  
32 shall be admitted as evidence, without requiring third-party  
33 foundation testimony, and shall constitute prima facie evidence  
34 of amounts incurred.

35 Sec. 15. Section 600B.39, Code 2025, is amended to read as

1 follows:

2 **600B.39 "Child" defined.**

3 For the purposes of this chapter, "child" means a person born  
4 out of wedlock and not legitimized who is less than eighteen  
5 years of age.

6 Sec. 16. Section 600B.41, subsection 1, Code 2025, is amended  
7 to read as follows:

8 1. In a proceeding to establish paternity in law or in equity  
9 the court may on its own motion, and upon request of a party  
10 shall, require the child, mother, and alleged father to submit  
11 to blood or genetic tests, except that if the mother and child  
12 previously submitted blood or genetic specimens in a prior action  
13 to establish paternity against a different alleged father, the  
14 previously submitted specimens and prior results, if available,  
15 may be utilized for testing in this action. Any blood or genetic  
16 tests of the child, mother, or alleged father shall not be  
17 conducted until after the child's birth.

18 EXPLANATION

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

21 This bill relates to the obligation of parents of a child born  
22 out of wedlock for support.

23 The bill amends Code chapter 600B (paternity and obligation  
24 for support) to provide that the court shall establish medical  
25 support pursuant to Code chapter 252E (medical support) and  
26 may order the payment of the reasonable and necessary uncovered  
27 medical expenses incurred by or for the mother in connection  
28 with the mother's pregnancy and the birth of the child. The  
29 bill provides that absent good cause or agreement of the parties,  
30 any amount the court orders the father to pay toward uncovered  
31 medical expenses related to the mother's pregnancy and the  
32 birth of the child shall be established in proportion to each  
33 parent's respective net income as calculated under the child  
34 support guidelines established pursuant to Code section 598.21B  
35 (orders for child support and medical support) and shall take

1 into account any amount the father previously paid toward such  
2 expenses. Additionally, the bill provides that the court may  
3 order the father to pay a separate amount toward any other  
4 reasonable and necessary expenses incurred by the mother related  
5 to the mother's pregnancy prior to the birth of the child, and  
6 incurred by the mother to provide essential items for the health,  
7 well-being, and safety of the newborn.

8 Under current law, upon the court's own motion or upon a  
9 request of a party, the court shall require a child, mother, and  
10 alleged father to submit to blood or genetic tests to establish  
11 paternity. The bill provides that any blood or genetic tests for  
12 a child, mother, or alleged father shall not be conducted until  
13 after the birth of the child.

14 The bill makes conforming and other changes in Code chapter  
15 600B consistent with the bill.

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