

**Senate File 386 - Reprinted**

SENATE FILE 386  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 17)

(As Amended and Passed by the Senate March 21, 2023)

**A BILL FOR**

1 An Act prohibiting a court from ordering payment of a  
2 postsecondary education subsidy for a child under a  
3 dissolution of marriage temporary order or final judgment or  
4 decree, and providing for application to existing orders,  
5 judgments, and decrees.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.1, subsection 8, Code 2023, is  
2 amended to read as follows:

3 8. "*Postsecondary education subsidy*" means an amount ~~which~~  
4 ~~either of the parties may be required to pay under a temporary~~  
5 ~~order or final judgment or decree~~ for educational expenses of  
6 a child who is between the ages of eighteen and twenty-two  
7 years if the child is regularly attending a course of career  
8 and technical training either as a part of a regular school  
9 program or under special arrangements adapted to the individual  
10 person's needs; or is, in good faith, a full-time student in a  
11 college, university, or community college; or has been accepted  
12 for admission to a college, university, or community college  
13 and the next regular term has not yet begun.

14 Sec. 2. Section 598.21F, Code 2023, is amended by striking  
15 the section and inserting in lieu thereof the following:

16 **598.21F Postsecondary education subsidy.**

17 The court shall not order either of the parties to pay a  
18 postsecondary education subsidy under a temporary order or  
19 final judgment or decree.

20 Sec. 3. Section 600.11, subsection 2, paragraph a,  
21 subparagraph (6), Code 2023, is amended to read as follows:

22 (6) A person who is ordered to pay support ~~or a~~  
23 ~~postsecondary education subsidy pursuant to [section 598.21F](#), or~~  
24 ~~[chapter 234](#), [252A](#), [252C](#), [252F](#), [598](#), [600B](#)~~, or any other chapter  
25 of the Code, for a person eighteen years of age or older who is  
26 being adopted by a stepparent, and the support order or order  
27 requires payment of support ~~or postsecondary education subsidy~~  
28 for any period of time after the child reaches eighteen years  
29 of age.

30 Sec. 4. APPLICABILITY. This Act applies to a support order,  
31 decree, or judgment entered or pending on or after July 1,  
32 2023. This Act shall not be the basis for modification of an  
33 order, decree, or judgment entered before July 1, 2023, that  
34 provides for a postsecondary education subsidy.