SENATE FILE 386
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 17)

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

* = Language Stricken by the Senate

A BILL FOR

An Act prohibiting a court from ordering payment of a postsecondary education subsidy for a child under a dissolution of marriage temporary order or final judgment or decree, and providing for application to existing orders, judgments, and decrees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

598.21F Postsecondary education subsidy.

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

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

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

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