SENATE FILE 542
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1123)

(As Amended and Passed by the Senate March 25, 2025)

_____ = New Language by the Senate

A BILL FOR

An Act relating to the suspension of child support and medical support in certain circumstances.

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

Section 1. NEW SECTION. **598.21H Suspension of child support — child in need of assistance proceedings.**

1. Subject to 28 U.S.C. §1738B, the court may enter an ex parte order suspending a child support or medical support order entered under chapter 234, 252A, 252C, 252F, 600B, or this chapter if all of the following conditions are met:

a. A dispositional or permanency order in juvenile court, pursuant to chapter 232, places the custody or physical care of a child with a person who is obligated to pay support for the child pursuant to an order entered under chapter 234, 252A, 252C, 252F, 600B, or this chapter.

b. The juvenile court files a notice of change of custody pursuant to section 232.102, subsection 11, or section 232.104, subsection 11.

c. The person obligated to pay support files an application requesting a suspension of support in the case in which child support is ordered. The application shall identify the county and docket number of the juvenile court proceeding, and the date of the dispositional or permanency order, that placed the custody or physical care of the child with the person obligated to pay support. An application filed by a person obligated to pay support shall also include the names and current addresses of the payor and payee, and shall attach a copy of the notice of change of custody filed under section 232.102, subsection 11, or section 232.104, subsection 11.

2. The order suspending support shall be effective on the date the next support payment is due, and that payment is suspended. Any party, or child support services, may file an objection to the order suspending support within twenty-one calendar days after the date the order is entered. The court shall schedule a hearing on the objection not later than fifteen calendar days after the date the objection is filed, and provide notice of the hearing to the parties. Unless otherwise ordered by the court, the ex parte order shall become final and terminate the support obligation sixty calendar days

following the date the juvenile court proceeding terminates.

3. The court may enter an ex parte order terminating a suspension ordered under subsection 1 if all of the following conditions are met:

a. The juvenile court returns the custody or physical care of the child to the person who was previously entitled to receive support for the child.

b. The juvenile court files a notice of change of custody pursuant to section 232.101, subsection 11, or section 232.104, subsection 11, to acknowledge the change of a child's custody back to the person previously entitled to receive support for the child.

c. The person who was previously entitled to receive support for the child, or child support services, files an application in the case in which the support was ordered, and then suspended, to request that the suspension be terminated. The application shall identify the county and docket number of the juvenile court proceeding, and the date of the dispositional or permanency order, that returned custody or physical care of the child to the person who was previously entitled to receive support for the child. An application filed by a person who was previously entitled to receive support for a child shall also include the names and current address of the payor and payee, and shall attach a copy of the notice of change of custody filed under section 232.102, subsection 11, or section 232.104, subsection 11, acknowledging the change of a child's custody back to the person previously entitled to receive support for the child.

4. An order terminating the suspension of support shall be effective on the date the next support payment would be due pursuant to the original support order, and the suspension of that payment is terminated. Any party, or child support services, may file an objection to the order ending the suspension of support within twenty-one calendar days of the date the order is entered. The court shall schedule a hearing

on the objection not later than fifteen calendar days after the date the objection is filed, and provide notice of the hearing to the parties.

5. A court shall waive any court costs or filing fee for an application to suspend support, or an application to terminate the suspension of support, filed under this section. The supreme court shall prescribe standard forms for persons to use under this section, and shall distribute the forms to the clerks of the district court.

6. Notwithstanding any provision of law to the contrary, if a juvenile court order placing custody or physical care of a child is being used as the basis for an application or an ex parte order under this section, the notice of change of custody issued by the juvenile court pursuant to section 232.102, subsection 11, or section 232.104, subsection 11, shall be disclosed upon request to child support services without a court order.

Sec. 2. Section 232.102, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 11. If, at the dispositional hearing, the court transfers the custody or physical care of a child to a person who is ordered to pay support for the child, the juvenile court shall, upon request of the person ordered to pay support, or the person owed support, file a notice of change of custody so that the payor may request a suspension of support under section 598.21H, in the district court case where support was ordered.

a. The notice shall include all of the following:

(1) The child's initials and year of birth. The notice shall not include the child's full name.

(2) A notice that, pursuant to a dispositional order, the court has transferred custody of the child, including an identification of from whom custody of the child was transferred and to whom custody of the child was transferred.

(3) A notice that the parties may request a suspension

of the current child support obligation pursuant to section 598.21H.

b. If custody or physical care of the child is returned to the person who was previously entitled to receive support for the child, the court shall file a notice of change of custody so that the person who was previously entitled to receive support for the child, or child support services, may request an end to a suspension of support under section 598.21H.

Sec. 3. Section 232.104, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 11. If, at the permanency hearing, the court transfers the custody or physical care of a child to a person who is ordered to pay support for the child, the juvenile court shall, upon request of the person ordered to pay support or the person owed support, file a notice of change of custody so that the payor may request a suspension of support under section 598.21H, in the district court case where support was ordered.

a. The notice shall include all of the following:

(1) The child's initials and year of birth. The notice shall not include the child's full name.

(2) A notice that, pursuant to a permanency order, the court has transferred custody of the child, including an identification of from whom custody of the child was transferred and to whom custody of the child was transferred.

(3) A notice that the parties may request a suspension of the current child support obligation pursuant to section 598.21H.

b. If custody or physical care of the child is returned to the person who was previously entitled to receive support for the child, the court shall file a notice of change of custody so that the person who was previously entitled to receive support for the child, or child support services, may request an end to a suspension of support under section 598.21H.