

FILED MAR 10 2005

SENATE FILE 350

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1203)

Passed Senate, Date 3-23-05 Passed House, Date 4-14-05

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 84 Nays 13

*Re-passed*  
*4-23-05 49-0*

Approved 5/15/05

*Re-passed*  
*4-27-05 98-2*

A BILL FOR

1 An Act relating to the suspension of a child support obligation.

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

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SF 350

1 Section 1. Section 252B.20, subsection 1, paragraphs a, c,  
2 and d, Code 2005, are amended to read as follows:

3 a. The parents have reconciled and are cohabiting, and the  
4 child for whom support is ordered is living in the same  
5 residence as the parents, or the child is currently residing  
6 with the parent who is ordered to pay support. If the basis  
7 for suspension under this paragraph applies to at least one  
8 but not all of the children for whom support is ordered, the  
9 condition of this paragraph is met only if the support order  
10 includes a step change.

11 c. The parents have signed a notarized affidavit attesting  
12 to the conditions under paragraphs "a" and "b", have consented  
13 to suspension of the support order or obligation, and have  
14 submitted the affidavit to the unit.

15 d. No prior request for suspension has been filed with the  
16 unit during the two-year period preceding the request, unless  
17 the request was filed during the two-year period preceding  
18 July 1, 2005, the unit denied the request because the  
19 suspension did not apply to all children for whom support is  
20 ordered, and the parents jointly file a request on or after  
21 July 1, 2005.

22 Sec. 2. Section 252B.20, subsection 2, paragraph b, Code  
23 2005, is amended to read as follows:

24 b. Approve the request and prepare an order which shall be  
25 submitted, along with the affidavit, to a judge of a district  
26 court for approval, suspending the accruing support obligation  
27 and, if requested by the obligee, and if not prohibited by  
28 chapter 252K, satisfying the obligation of support due the  
29 obligee. If the basis for suspension applies to at least one  
30 but not all of the children for whom support is ordered and  
31 the support order includes a step change, the unit shall  
32 prepare an order suspending the accruing support obligation  
33 for each child to whom the basis for suspension applies.

34 Sec. 3. Section 252B.20, subsection 5, unnumbered  
35 paragraph 1, Code 2005, is amended to read as follows:

1 During the six-month period the unit may request that the  
2 court reinstate the accruing support order or obligation if  
3 any of the following conditions exist:

4 Sec. 4. Section 252B.20, Code 2005, is amended by adding  
5 the following new subsections:

6 NEW SUBSECTION. 5A. If a condition under subsection 5  
7 exists, the unit may request that the court reinstate an  
8 accruing support obligation as follows:

9 a. If the basis for the suspension no longer applies to  
10 any of the children for whom an accruing support obligation  
11 was suspended, the unit shall request that the court reinstate  
12 the accruing support obligations for all of the children.

13 b. If the basis for the suspension continues to apply to  
14 at least one but not all of the children for whom an accruing  
15 support obligation was suspended and if the support order  
16 includes a step change, the unit shall request that the court  
17 reinstate the accruing support obligation for each child for  
18 whom the basis for the suspension no longer applies.

19 NEW SUBSECTION. 12. For the purposes of chapter 252H  
20 regarding the criteria for a review under subchapter II of  
21 that chapter or for a cost-of-living alteration under  
22 subchapter IV of that chapter, if a support obligation is  
23 terminated or reinstated under this section, such termination  
24 or reinstatement shall not be considered a modification of the  
25 support order.

26 NEW SUBSECTION. 13. As used in this section, unless the  
27 context otherwise requires, "step change" means a change  
28 designated in a support order specifying the amount of the  
29 child support obligation as the number of children entitled to  
30 support under the order changes.

31 EXPLANATION

32 This bill provides for the suspension of a support  
33 obligation when fewer than all of the children for whom  
34 support is ordered are living in the same residence as both  
35 the parents or when fewer than all of the children for whom

1 support is ordered are currently residing with the parent who  
2 is ordered to pay support, if the parents agree and the child  
3 support order already specifies what the child support  
4 obligation would be if the number of children entitled to  
5 support under the order changes. The bill also allows for  
6 reinstatement of the support obligation under specified  
7 circumstances. The bill provides that under the review and  
8 adjustment and cost-of-living alteration provisions of Code  
9 chapter 252H, if a support obligation is terminated or  
10 reinstated under the suspension provisions, the termination or  
11 reinstatement is not considered a modification of the support  
12 order.

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SENATE FILE 350

H-1347

1 Amend Senate File 350, as passed by the Senate, as  
2 follows:

3 1. Page 2, by inserting after line 30, the  
4 following:

5 "Sec. \_\_\_\_ Section 598.22A, subsection 1,  
6 unnumbered paragraph 1, Code 2005, is amended to read  
7 as follows:

8 For payment made pursuant to an order, the clerk of  
9 the district court or collection services center shall  
10 record a satisfaction as a credit on the official  
11 support payment record if its validity is confirmed by  
12 the court upon submission of an affidavit by the  
13 person entitled to receive the payment or upon  
14 submission of documentation of the financial  
15 instrument used in the payment of the support by the  
16 person ordered to pay support, after notice is given  
17 to all parties."

18 2. Title page, line 1, by inserting after the  
19 word "to" the following: "child support including".

20 3. Title page, line 1, by inserting after the  
21 word "obligation" the following: "and the  
22 satisfaction of support payments".

23 4. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-1347 FILED APRIL 7, 2005

SENATE FILE 350

H-1346

1 Amend Senate File 350, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1, the  
4 following:

5 "Section 1. Section 252B.9, subsection 1,  
6 paragraph d, subparagraph (2), Code 2005, is amended  
7 to read as follows:

8 (2) Certain records held by public utilities and,  
9 cable, or other television companies, cellular  
10 telephone companies, and internet service providers  
11 with respect to individuals who owe or are owed  
12 support, or against or with respect to whom a support  
13 obligation is sought, consisting of the names and  
14 addresses of such individuals and the names and  
15 addresses of the employers of such individuals, as  
16 appearing in customer records. If the records are  
17 maintained in automated databases, the unit shall be  
18 provided with automated access."

19 2. Title page, line 1, by inserting after the  
20 word "to" the following: "child support recovery  
21 including access to information for the purposes of  
22 recovery and".

23 3. By renumbering as necessary.

By PETERSEN of Polk

LUKAN of Dubuque

UPMEYER of Hancock

WISE of Lee

H-1346 FILED APRIL 7, 2005

SENATE FILE 350

H-1365

1 Amend Senate File 350, as passed by the Senate, as  
2 follows:

3 1. Page 2, by inserting after line 30 the  
4 following:

5 "Sec. \_\_\_\_ ENACTMENT AS SUBSTANTIAL CHANGE IN  
6 CIRCUMSTANCES. The enactment of subsection 5A of  
7 section 598.21 constitutes a substantial change in  
8 circumstances authorizing the court to modify a  
9 support order, decree, or judgment in accordance with  
10 that subsection.

11 Sec. \_\_\_\_ EFFECTIVE DATE -- RETROACTIVE  
12 APPLICABILITY. The section of this Act relating to  
13 enactment of section 598.21, subsection 5A, as a  
14 substantial change in circumstances, being deemed of  
15 immediate importance, takes effect upon enactment and  
16 is retroactively applicable to orders, decrees, or  
17 judgments entered or pending as provided in section  
18 598.21, subsection 5A, paragraph "e".

19 2. Title page, line 1, by inserting after the  
20 word "to" the following: "child support and the  
21 postsecondary education subsidy including".

22 3. Title page, line 1, by inserting after the  
23 word "obligation" the following: ", providing an  
24 effective date, and providing for retroactive  
25 applicability".

26 4. By renumbering as necessary.

By STRUYK of Pottawattamie

H-1365 FILED APRIL 13, 2005

SENATE FILE 350

H-1367

- 1 Amend Senate File 350, as passed by the Senate, as  
2 follows:  
3 1. Page 2, by inserting after line 30, the  
4 following:  
5 "Sec. \_\_\_\_ . Section 252D.17, subsection 8, Code  
6 2005, is amended to read as follows:  
7 8. If the payor knowingly fails to withhold income  
8 or to pay the amounts withheld to the collection  
9 services center or the clerk of court in accordance  
10 with the provisions of the order, the notice of the  
11 order, or the notification of payors of income  
12 provisions established in section 252B.13A, the payor  
13 commits a simple misdemeanor for a first offense and  
14 is liable for the accumulated amount which should have  
15 been withheld, together with costs, interest, and  
16 reasonable attorney fees related to the collection of  
17 the amounts due from the payor. For each subsequent  
18 offense prescribed under this subsection, the payor  
19 commits a serious misdemeanor and is liable for the  
20 accumulated amount which should have been withheld,  
21 together with costs, interest, and reasonable attorney  
22 fees related to the collection of the amounts due from  
23 the payor."  
24 2. Title page, line 1, by inserting after the  
25 word "to" the following: "child support including  
26 provisions relating to failure to withhold income or  
27 to pay the amounts withheld and to".  
28 3. Title page, line 1, by inserting after the  
29 word "obligation" the following: "and providing  
30 penalties".  
31 4. By renumbering as necessary.

By HEATON of Henry

H-1367 FILED APRIL 13, 2005

SENATE FILE 350

H-1368

1 Amend Senate File 350, as passed by the Senate, as  
2 follows:

3 1. Page 2, by inserting after line 30 the  
4 following:

5 "Sec. \_\_\_\_ . NEW SECTION. 252B.25 CONTEMPT --  
6 COMBINING ACTIONS.

7 Notwithstanding any provision of law to the  
8 contrary, if an obligor has been ordered to provide  
9 support in more than one order, the unit may bring a  
10 single action for contempt to enforce the multiple  
11 orders. The unit shall file the action in the  
12 district court of a county where at least one of the  
13 support orders was entered or registered. For the  
14 purposes of this section, the district court where the  
15 unit files the action shall have jurisdiction and  
16 authority over all other support orders for the  
17 obligor entered or registered by a court of this state  
18 and affected under this section. In such case, the  
19 unit shall also file a document with the clerk of  
20 court in each county affected specifying the county  
21 where the action under this section was filed and the  
22 disposition of the action.

23 Sec. \_\_\_\_ . NEW SECTION. 252B.26 SERVICE OF  
24 PROCESS.

25 Notwithstanding any provision of law to the  
26 contrary, the unit may serve a petition, notice, or  
27 rule to show cause under chapter 252A, 252C, 252F,  
28 252H, 252K, 598, or 665 as specified in each chapter,  
29 or by certified mail. Return acknowledgement is  
30 required to prove service by certified mail, rules of  
31 civil procedure 1.303(5) and 1.308(5) shall not apply,  
32 and the return acknowledgment shall be filed with the  
33 clerk of court.

34 Sec. \_\_\_\_ . Section 252D.3, Code 2005, is amended to  
35 read as follows:

36 252D.3 NOTICE OF INCOME WITHHOLDING.

37 All orders for support entered on or after July 1,  
38 1984, shall notify the person ordered to pay support  
39 of the mandatory withholding of income required under  
40 section 252D.1. ~~However, for orders for support~~  
41 ~~entered before July 1, 1984, the clerk of the district~~  
42 ~~court, the child support recovery unit, or the person~~  
43 ~~entitled by the order to receive the support payments,~~  
44 ~~shall notify each person ordered to pay support under~~  
45 ~~such orders of the mandatory withholding of income~~  
46 ~~required under section 252D.1. The notice shall be~~  
47 ~~sent by certified mail to the person's last known~~  
48 ~~address or the person shall be personally served with~~  
49 ~~the notice in the manner provided for service of an~~  
50 ~~original notice at least fifteen days prior to the~~

H-1368

~~1 ordering of income withholding under section 252D.1.  
2 A person ordered to pay support may waive the right to  
3 receive the notice at any time. However, this  
4 subchapter is sufficient notice of implementation of  
5 mandatory withholding of income under section 252D.1  
6 without any further notice.~~

7 Sec. \_\_\_\_\_. Section 252D.10, Code 2005, is amended  
8 to read as follows:

9 252D.10 NOTICE OF IMMEDIATE INCOME WITHHOLDING.

~~10 The notice requirements of section 252D.3 do not  
11 apply to this subchapter. An order for support  
12 entered after November 1, 1990, shall contain the  
13 notice of immediate income withholding. However, this  
14 subchapter is sufficient notice for implementation of  
15 immediate income withholding without any further  
16 notice.~~

17 Sec. \_\_\_\_\_. Section 252D.16, subsection 1, paragraph  
18 b, Code 2005, is amended to read as follows:

19 b. A sole payment or lump sum as provided in  
20 section 252D.18C, including but not limited to payment  
21 from an estate including inheritance, or payment for  
22 personal injury or property damage.

23 Sec. \_\_\_\_\_. Section 252D.24, subsection 2, Code  
24 2005, is amended by striking the subsection.

25 Sec. \_\_\_\_\_. Section 252I.3, Code 2005, is amended to  
26 read as follows:

27 252I.3 INITIAL NOTICE TO OBLIGOR.

~~28 The unit may proceed under this chapter only if  
29 notice has been provided to the obligor in one of the  
30 following manners:~~

31 ~~1. The obligor is provided notice of the~~  
32 ~~provisions of this chapter in the court order~~  
33 ~~establishing the support obligation. The unit or~~  
34 ~~district court may include language in any new or~~  
35 ~~modified support order issued on or after July 1,~~  
36 ~~1994, notifying the obligor that the obligor is~~  
37 ~~subject to the provisions of this chapter. However,~~  
38 this chapter is sufficient notice for implementation  
39 of administrative levy provisions without further  
40 notice of the provisions of this chapter.

41 ~~2. The unit may send a notice by regular mail to~~  
42 ~~the last known address of the obligor, notifying the~~  
43 ~~obligor that the obligor is subject to the provisions~~  
44 ~~of this chapter, with proof of service completed~~  
45 ~~according to rule of civil procedure 1.442.~~

46 Sec. \_\_\_\_\_. Section 252I.5, subsection 1, Code 2005,  
47 is amended to read as follows:

48 1. If an obligor is subject to this chapter under  
49 section 252I.2, the unit may initiate an  
50 administrative action to levy against the accounts of

1 the obligor. ~~If notice has previously been provided~~  
2 ~~pursuant to section 252I.3, further notice is not~~  
3 ~~required.~~

4 Sec. \_\_\_\_\_. Section 252J.3, unnumbered paragraph 1,  
5 Code 2005, is amended to read as follows:

6 The unit shall proceed in accordance with this  
7 chapter only if the unit sends a notice is served on  
8 to the individual in accordance with rule of civil  
9 procedure 1.305 or notice is sent by certified mail  
10 addressed to the individual's last known address and  
11 served upon any person who may accept service under  
12 rule of civil procedure 1.305. Return acknowledgment  
13 is required to prove service by certified by regular  
14 mail to the last known address of the individual. The  
15 notice shall include all of the following:

16 Sec. \_\_\_\_\_. Section 252J.3, subsections 4 and 5,  
17 Code 2005, are amended to read as follows:

18 4. A statement that if, within twenty days of  
19 service mailing of the notice on to the individual,  
20 the individual fails to contact the unit to schedule a  
21 conference, the unit shall issue a certificate of  
22 noncompliance, bearing the individual's name, social  
23 security number and unit case number, to any  
24 appropriate licensing authority, certifying that the  
25 obligor is not in compliance with a support order or  
26 an individual has not complied with a subpoena or  
27 warrant.

28 5. A statement that in order to stay the issuance  
29 of a certificate of noncompliance the request for a  
30 conference shall be in writing and shall be received  
31 by the unit within twenty days of service mailing of  
32 the notice on to the individual.

33 Sec. \_\_\_\_\_. Section 252J.4, subsections 1, 2, and 6,  
34 Code 2005, are amended to read as follows:

35 1. The individual may schedule a conference with  
36 the unit following service mailing of the notice  
37 pursuant to section 252J.3, or at any time after  
38 service of notice of suspension, revocation, denial of  
39 issuance, or nonrenewal of a license from a licensing  
40 authority, to challenge the unit's actions under this  
41 chapter.

42 2. The request for a conference shall be made to  
43 the unit, in writing, and, if requested after service  
44 mailing of a the notice pursuant to section 252J.3,  
45 shall be received by the unit within twenty days  
46 following service mailing of the notice.

47 6. If the individual does not timely request a  
48 conference or does not comply with a subpoena or  
49 warrant or if the obligor does not pay the total  
50 amount of delinquent support owed within twenty days

1 of ~~service mailing~~ of the notice pursuant to section  
2 252J.3, the unit shall issue a certificate of  
3 noncompliance.

4 Sec. \_\_\_\_\_. Section 252J.6, subsection 1, unnumbered  
5 paragraph 1, Code 2005, is amended to read as follows:

6 If an obligor is not in compliance with a support  
7 order or the individual is not in compliance with a  
8 subpoena or warrant pursuant to section 252J.2, the  
9 unit ~~notifies mails a notice to~~ the individual  
10 pursuant to section 252J.3, and the individual  
11 requests a conference pursuant to section 252J.4, the  
12 unit shall issue a written decision if any of the  
13 following conditions exists:

14 Sec. \_\_\_\_\_. Section 600.16A, subsection 5, Code  
15 2005, is amended to read as follows:

16 5. Notwithstanding subsection 2, a termination of  
17 parental rights order issued pursuant to this chapter,  
18 section 600A.9 may, or any other chapter shall be  
19 disclosed to the child support recovery unit, upon  
20 request, without court order.

21 Sec. \_\_\_\_\_. NULLIFICATION OF RULES. The following  
22 rules are nullified:

- 23 1. 441 IAC 98.22.
- 24 2. 441 IAC 98.23.
- 25 3. 441 IAC 98.33.
- 26 4. 441 IAC 98.92."

27 2. Title page, by inserting after the word "to"  
28 the following: "child support, including".

29 3. Title page, line 1, by inserting after the  
30 word "obligation" the following: "and nullifying  
31 related administrative rules".

By HEATON of Henry

H-1368 FILED APRIL 13, 2005

**SENATE FILE 350**

**H-1384**

1 Amend the amendment, H-1368, to Senate File 350, as  
2 passed by the Senate, as follows:

3 1. By striking page 3, line 4, through page 4,  
4 line 13.

5 2. By renumbering as necessary.

By MURPHY of Dubuque

H-1384 FILED APRIL 14, 2005

OUT OF ORDER

**EIGHTY FIRST GENERAL ASSEMBLY  
2005 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET**

APRIL 19, 2005

**HOUSE AMENDMENT TO  
SENATE FILE 350**

**S-3130**

1 Amend Senate File 350, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1, the  
4 following:

5 "Section 1. Section 252B.9, subsection 1,  
6 paragraph d, subparagraph (2), Code 2005, is amended  
7 to read as follows:

8 (2) Certain records held by public utilities ~~and,~~  
9 cable, or other television companies, cellular  
10 telephone companies, and internet service providers  
11 with respect to individuals who owe or are owed  
12 support, or against or with respect to whom a support  
13 obligation is sought, consisting of the names and  
14 addresses of such individuals and the names and  
15 addresses of the employers of such individuals, as  
16 appearing in customer records. If the records are  
17 maintained in automated databases, the unit shall be  
18 provided with automated access."

19 2. Page 2, by inserting after line 30 the  
20 following:

21 "Sec. \_\_\_\_ . NEW SECTION. 252B.25 CONTEMPT --  
22 COMBINING ACTIONS.

23 Notwithstanding any provision of law to the  
24 contrary, if an obligor has been ordered to provide  
25 support in more than one order, the unit may bring a  
26 single action for contempt to enforce the multiple  
27 orders. The unit shall file the action in the  
28 district court of a county where at least one of the  
29 support orders was entered or registered. For the  
30 purposes of this section, the district court where the  
31 unit files the action shall have jurisdiction and  
32 authority over all other support orders for the  
33 obligor entered or registered by a court of this state  
34 and affected under this section. In such case, the  
35 unit shall also file a document with the clerk of  
36 court in each county affected specifying the county  
37 where the action under this section was filed and the  
38 disposition of the action.

39 Sec. \_\_\_\_ . NEW SECTION. 252B.26 SERVICE OF  
40 PROCESS.

41 Notwithstanding any provision of law to the  
42 contrary, the unit may serve a petition, notice, or  
43 rule to show cause under chapter 252A, 252C, 252F,  
44 252H, 252K, 598, or 665 as specified in each chapter,  
45 or by certified mail. Return acknowledgement is  
46 required to prove service by certified mail, rules of  
47 civil procedure 1.303(5) and 1.308(5) shall not apply,  
48 and the return acknowledgment shall be filed with the  
49 clerk of court.

50 Sec. \_\_\_\_ . Section 252D.3, Code 2005, is amended to

**S-3130**

1 read as follows:

2 252D.3 NOTICE OF INCOME WITHHOLDING.

3 All orders for support entered on or after July 1,  
4 1984, shall notify the person ordered to pay support  
5 of the mandatory withholding of income required under  
6 section 252D.1. ~~However, for orders for support~~  
7 ~~entered before July 1, 1984, the clerk of the district~~  
8 ~~court, the child support recovery unit, or the person~~  
9 ~~entitled by the order to receive the support payments,~~  
10 ~~shall notify each person ordered to pay support under~~  
11 ~~such orders of the mandatory withholding of income~~  
12 ~~required under section 252D.1. The notice shall be~~  
13 ~~sent by certified mail to the person's last known~~  
14 ~~address or the person shall be personally served with~~  
15 ~~the notice in the manner provided for service of an~~  
16 ~~original notice at least fifteen days prior to the~~  
17 ~~ordering of income withholding under section 252D.1.~~  
18 ~~A person ordered to pay support may waive the right to~~  
19 ~~receive the notice at any time. However, this~~  
20 subchapter is sufficient notice of implementation of  
21 mandatory withholding of income under section 252D.1  
22 without any further notice.

23 Sec. \_\_\_\_\_. Section 252D.10, Code 2005, is amended  
24 to read as follows:

25 252D.10 NOTICE OF IMMEDIATE INCOME WITHHOLDING.

26 ~~The notice requirements of section 252D.3 do not~~  
27 ~~apply to this subchapter. An order for support~~  
28 ~~entered after November 1, 1990, shall contain the~~  
29 ~~notice of immediate income withholding. However, this~~  
30 ~~subchapter is sufficient notice for implementation of~~  
31 ~~immediate income withholding without any further~~  
32 ~~notice.~~

33 Sec. \_\_\_\_\_. Section 252D.16, subsection 1, paragraph  
34 b, Code 2005, is amended to read as follows:

35 b. A sole payment or lump sum as provided in  
36 section 252D.18C, including but not limited to payment  
37 from an estate including inheritance, or payment for  
38 personal injury or property damage.

39 Sec. \_\_\_\_\_. Section 252D.24, subsection 2, Code  
40 2005, is amended by striking the subsection.

41 Sec. \_\_\_\_\_. Section 252I.3, Code 2005, is amended to  
42 read as follows:

43 252I.3 INITIAL NOTICE TO OBLIGOR.

44 ~~The unit may proceed under this chapter only if~~  
45 ~~notice has been provided to the obligor in one of the~~  
46 ~~following manners:~~

47 ~~1. The obligor is provided notice of the~~  
48 ~~provisions of this chapter in the court order~~  
49 ~~establishing the support obligation. The unit or~~  
50 ~~district court may include language in any new or~~

1 modified support order issued on or after July 1,  
2 1994, notifying the obligor that the obligor is  
3 subject to the provisions of this chapter. However,  
4 this chapter is sufficient notice for implementation  
5 of administrative levy provisions without further  
6 notice of the provisions of this chapter.

7 ~~2. The unit may send a notice by regular mail to~~  
8 ~~the last known address of the obligor, notifying the~~  
9 ~~obligor that the obligor is subject to the provisions~~  
10 ~~of this chapter, with proof of service completed~~  
11 ~~according to rule of civil procedure 1.442.~~

12 Sec. \_\_\_\_\_. Section 252I.5, subsection 1, Code 2005,  
13 is amended to read as follows:

14 1. If an obligor is subject to this chapter under  
15 section 252I.2, the unit may initiate an  
16 administrative action to levy against the accounts of  
17 the obligor. ~~If notice has previously been provided~~  
18 ~~pursuant to section 252I.3, further notice is not~~  
19 ~~required.~~

20 Sec. \_\_\_\_\_. Section 252J.3, unnumbered paragraph 1,  
21 Code 2005, is amended to read as follows:

22 The unit shall proceed in accordance with this  
23 chapter only if the unit sends a notice is served on  
24 to the individual in accordance with rule of civil  
25 procedure 1.305 or notice is sent by certified mail  
26 addressed to the individual's last known address and  
27 served upon any person who may accept service under  
28 rule of civil procedure 1.305. Return acknowledgment  
29 is required to prove service by certified by regular  
30 mail to the last known address of the individual. The  
31 notice shall include all of the following:

32 Sec. \_\_\_\_\_. Section 252J.3, subsections 4 and 5,  
33 Code 2005, are amended to read as follows:

34 4. A statement that if, within twenty days of  
35 service mailing of the notice on to the individual,  
36 the individual fails to contact the unit to schedule a  
37 conference, the unit shall issue a certificate of  
38 noncompliance, bearing the individual's name, social  
39 security number and unit case number, to any  
40 appropriate licensing authority, certifying that the  
41 obligor is not in compliance with a support order or  
42 an individual has not complied with a subpoena or  
43 warrant.

44 5. A statement that in order to stay the issuance  
45 of a certificate of noncompliance the request for a  
46 conference shall be in writing and shall be received  
47 by the unit within twenty days of service mailing of  
48 the notice on to the individual.

49 Sec. \_\_\_\_\_. Section 252J.4, subsections 1, 2, and 6,  
50 Code 2005, are amended to read as follows:

1 1. The individual may schedule a conference with  
2 the unit following ~~service~~ mailing of the notice  
3 pursuant to section 252J.3, or at any time after  
4 service of notice of suspension, revocation, denial of  
5 issuance, or nonrenewal of a license from a licensing  
6 authority, to challenge the unit's actions under this  
7 chapter.

8 2. The request for a conference shall be made to  
9 the unit, in writing, and, if requested after ~~service~~  
10 mailing of ~~a~~ the notice pursuant to section 252J.3,  
11 shall be received by the unit within twenty days  
12 following ~~service~~ mailing of the notice.

13 6. If the individual does not timely request a  
14 conference or does not comply with a subpoena or  
15 warrant or if the obligor does not pay the total  
16 amount of delinquent support owed within twenty days  
17 of ~~service~~ mailing of the notice pursuant to section  
18 252J.3, the unit shall issue a certificate of  
19 noncompliance.

20 Sec. \_\_\_\_\_. Section 252J.6, subsection 1, unnumbered  
21 paragraph 1, Code 2005, is amended to read as follows:

22 If an obligor is not in compliance with a support  
23 order or the individual is not in compliance with a  
24 subpoena or warrant pursuant to section 252J.2, the  
25 unit ~~notifies~~ mails a notice to the individual  
26 pursuant to section 252J.3, and the individual  
27 requests a conference pursuant to section 252J.4, the  
28 unit shall issue a written decision if any of the  
29 following conditions exists:

30 Sec. \_\_\_\_\_. Section 600.16A, subsection 5, Code  
31 2005, is amended to read as follows:

32 5. Notwithstanding subsection 2, a termination of  
33 parental rights order issued pursuant to this chapter,  
34 section 600A.9 may, or any other chapter shall be  
35 disclosed to the child support recovery unit, upon  
36 request, without court order.

37 Sec. \_\_\_\_\_. NULLIFICATION OF RULES. The following  
38 rules are nullified:

- 39 1. 441 IAC 98.22.
- 40 2. 441 IAC 98.23.
- 41 3. 441 IAC 98.33.
- 42 4. 441 IAC 98.92."

43 3. Page 2, by inserting after line 30, the  
44 following:

45 "Sec. \_\_\_\_\_. Section 252D.17, subsection 8, Code  
46 2005, is amended to read as follows:

47 8. If the payor knowingly fails to withhold income  
48 or to pay the amounts withheld to the collection  
49 services center or the clerk of court in accordance  
50 with the provisions of the order, the notice of the

1 order, or the notification of payors of income  
2 provisions established in section 252B.13A, the payor  
3 commits a simple misdemeanor for a first offense and  
4 is liable for the accumulated amount which should have  
5 been withheld, together with costs, interest, and  
6 reasonable attorney fees related to the collection of  
7 the amounts due from the payor. For each subsequent  
8 offense prescribed under this subsection, the payor  
9 commits a serious misdemeanor and is liable for the  
10 accumulated amount which should have been withheld,  
11 together with costs, interest, and reasonable attorney  
12 fees related to the collection of the amounts due from  
13 the payor."

14 4. Page 2, by inserting after line 30, the  
15 following:

16 "Sec. \_\_\_\_ . Section 598.22A, subsection 1,  
17 unnumbered paragraph 1, Code 2005, is amended to read  
18 as follows:

19 For payment made pursuant to an order, the clerk of  
20 the district court or collection services center shall  
21 record a satisfaction as a credit on the official  
22 support payment record if its validity is confirmed by  
23 the court upon submission of an affidavit by the  
24 person entitled to receive the payment or upon  
25 submission of documentation of the financial  
26 instrument used in the payment of the support by the  
27 person ordered to pay support, after notice is given  
28 to all parties."

29 5. Title page, line 1, by inserting after the  
30 word "to" the following: "child support recovery  
31 including access to information for the purposes of  
32 recovery and".

33 6. Title page, line 1, by inserting after the  
34 word "to" the following: "child support including  
35 provisions relating to failure to withhold income or  
36 to pay the amounts withheld and to".

37 7. Title page, line 1, by inserting after the  
38 word "obligation" the following: "and the  
39 satisfaction of support payments".

40 8. Title page, line 1, by inserting after the  
41 word "obligation" the following: "and nullifying  
42 related administrative rules".

43 9. Title page, line 1, by inserting after the  
44 word "obligation" the following: "and providing  
45 penalties".

46 10. By renumbering, relettering, or redesignating  
47 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

SENATE FILE 350

S-3157

- 1 Amend the House amendment, S-3130, to Senate File  
2 350, as passed by the Senate, as follows:  
3 1. Page 1, line 27, by striking the word "The"  
4 and inserting the following: "However, if the obligor  
5 objects to the consolidation of the actions regarding  
6 multiple orders into a single action for contempt, and  
7 the court determines that severance of the single  
8 action into multiple actions is in the interest of  
9 justice, the unit shall bring multiple actions for  
10 contempt to enforce the multiple orders. If the  
11 single action is brought and the obligor does not  
12 object, the".  
13 2. Page 1, line 28, by inserting after the word  
14 "where" the following: "the obligor resides, or if  
15 the obligor does not reside in the state, in the  
16 district court of the county where".  
17 3. By striking page 4, line 43 through page 5,  
18 line 13.  
19 4. By renumbering as necessary.

By KEITH A. KREIMAN  
DAVID MILLER

S-3157 FILED APRIL 21, 2005  
ADOPTED

SENATE AMENDMENT TO HOUSE AMENDMENT TO  
SENATE FILE 350

H-1469

- 1 Amend the House amendment, S-3130, to Senate File  
2 350, as passed by the Senate, as follows:  
3 1. Page 1, line 27, by striking the word "The"  
4 and inserting the following: "However, if the obligor  
5 objects to the consolidation of the actions regarding  
6 multiple orders into a single action for contempt, and  
7 the court determines that severance of the single  
8 action into multiple actions is in the interest of  
9 justice, the unit shall bring multiple actions for  
10 contempt to enforce the multiple orders. If the  
11 single action is brought and the obligor does not  
12 object, the".  
13 2. Page 1, line 28, by inserting after the word  
14 "where" the following: "the obligor resides, or if  
15 the obligor does not reside in the state, in the  
16 district court of the county where".  
17 3. By striking page 4, line 43 through page 5,  
18 line 13.  
19 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1469 FILED APRIL 21, 2005

Kreiman co-chair  
Johnson co-chair  
Dotzler  
Behn

Succeeded By  
SF HF 350

SSB# 1203  
Human Resources

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HUMAN SERVICES BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the suspension of a child support obligation.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 252B.20, subsection 1, paragraphs a, c,  
2 and d, Code 2005, are amended to read as follows:

3 a. The parents have reconciled and are cohabiting, and the  
4 child for whom support is ordered is living in the same  
5 residence as the parents, or the child is currently residing  
6 with the parent who is ordered to pay support. If the basis  
7 for suspension under this paragraph applies to at least one  
8 but not all of the children for whom support is ordered, the  
9 condition of this paragraph is met only if the support order  
10 includes a step change.

11 c. The parents have signed a notarized affidavit attesting  
12 to the conditions under paragraphs "a" and "b", have consented  
13 to suspension of the support order or obligation, and have  
14 submitted the affidavit to the unit.

15 d. No prior request for suspension has been filed with the  
16 unit during the two-year period preceding the request, unless  
17 the request was filed during the two-year period preceding  
18 July 1, 2005, the unit denied the request because the  
19 suspension did not apply to all children for whom support is  
20 ordered, and the parents jointly file a request on or after  
21 July 1, 2005.

22 Sec. 2. Section 252B.20, subsection 2, paragraph b, Code  
23 2005, is amended to read as follows:

24 b. Approve the request and prepare an order which shall be  
25 submitted, along with the affidavit, to a judge of a district  
26 court for approval, suspending the accruing support obligation  
27 and, if requested by the obligee, and if not prohibited by  
28 chapter 252K, satisfying the obligation of support due the  
29 obligee. If the basis for suspension applies to at least one  
30 but not all of the children for whom support is ordered and  
31 the support order includes a step change, the unit shall  
32 prepare an order suspending the accruing support obligation  
33 for each child to whom the basis for suspension applies.

34 Sec. 3. Section 252B.20, subsection 5, unnumbered  
35 paragraph 1, Code 2005, is amended to read as follows:

1 During the six-month period the unit may request that the  
2 court reinstate the accruing support order or obligation if  
3 any of the following conditions exist:

4 Sec. 4. Section 252B.20, Code 2005, is amended by adding  
5 the following new subsections:

6 NEW SUBSECTION. 5A. If a condition under subsection 5  
7 exists, the unit may request that the court reinstate an  
8 accruing support obligation as follows:

9 a. If the basis for the suspension no longer applies to  
10 any of the children for whom an accruing support obligation  
11 was suspended, the unit shall request that the court reinstate  
12 the accruing support obligations for all of the children.

13 b. If the basis for the suspension continues to apply to  
14 at least one but not all of the children for whom an accruing  
15 support obligation was suspended and if the support order  
16 includes a step change, the unit shall request that the court  
17 reinstate the accruing support obligation for each child for  
18 whom the basis for the suspension no longer applies.

19 NEW SUBSECTION. 12. For the purposes of chapter 252H  
20 regarding the criteria for a review under subchapter II of  
21 that chapter or for a cost-of-living alteration under  
22 subchapter IV of that chapter, if a support obligation is  
23 terminated or reinstated under this section, such termination  
24 or reinstatement shall not be considered a modification of the  
25 support order.

26 NEW SUBSECTION. 13. As used in this section, unless the  
27 context otherwise requires, "step change" means a change  
28 designated in a support order specifying the amount of the  
29 child support obligation as the number of children entitled to  
30 support under the order changes.

31 **EXPLANATION**

32 This bill provides for the suspension of a support  
33 obligation when fewer than all of the children for whom  
34 support is ordered are living in the same residence as both  
35 the parents or when fewer than all of the children for whom

1 support is ordered are currently residing with the parent who  
2 is ordered to pay support, if the parents agree and the child  
3 support order already specifies what the child support  
4 obligation would be if the number of children entitled to  
5 support under the order changes. The bill also allows for  
6 reinstatement of the support obligation under specified  
7 circumstances. The bill provides that under the review and  
8 adjustment and cost-of-living alteration provisions of Code  
9 chapter 252H, if a support obligation is terminated or  
10 reinstated under the suspension provisions, the termination or  
11 reinstatement is not considered a modification of the support  
12 order.

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# STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
KEVIN W. CONCANNON, DIRECTOR

TO: Members of the General Assembly

FROM: Kate Walton, Legislative Liaison

DATE: January 7, 2005

The Iowa Department of Human Services (DHS) is proposing legislation which would amend section 252B.20 for the suspension of child support obligations.

Over ten years ago the Iowa Legislature, acknowledging that sometimes divorced or separated parents have their children move from one parent to the other, gave the Child Support Recovery Unit (the Unit) authority to help parents suspend and terminate their child support orders when they agree this has happened. In this bill, the Unit is asking the Legislature to approve an extension of this service to parents who have agreed only some of the children have moved, as long as the court's child support order already tells the parents how much lower the child support will be.

Currently, if both parents agree, section 252B.20 allows the Unit to help parents suspend and terminate child support orders for children who have gone to live with the other parent. Department rules now require that all the children must have gone to live with the parent who was ordered to pay support for the Unit to assist with the termination. The proposed amendment would require the Unit to also help parents terminate support when fewer than all the children have gone to live with the parent ordered to pay support. The Unit could help as long as the parents agree and the child support order already states what the lower support amount will be for that parent to pay for fewer children. In addition, the amendment would allow reinstatement of support if the children move back with the custodial parent.

In 252B.20, the Legislature authorized the Unit to use a streamlined court process to help these parents when they both agree. The same efficient, streamlined process can be used under this expansion because the parents will not have to provide and document financial information, and the Unit will not have to apply the Supreme Court's guidelines, recalculate the amount of child support, notify the parents of the new calculation, and delay during a waiting period for an objection to the new calculation.

Although federal law allows the Unit to help parents modify an order to terminate child support if a child moves, it is not a federally mandated service. Proposing an amendment to the statutes rather than to the rules, gives the Legislature the opportunity to provide input on the Unit expanding its state-mandated services.

As a final point of explanation, when a child moves, the Unit already assists the parent who formerly paid support obtain an order for child support from the other parent if the child is on public assistance, or if the parent applies for the Unit's services. Therefore, the statute does not need to be changed to provide this service.

If you have any questions or concerns, you may contact me at 281-4387 or at [kw Walton@dhs.state.ia.us](mailto:kw Walton@dhs.state.ia.us).

SENATE FILE 350

AN ACT

RELATING TO CHILD SUPPORT RECOVERY INCLUDING ACCESS TO INFORMATION FOR THE PURPOSES OF RECOVERY, PROVISIONS RELATING TO FAILURE TO WITHHOLD INCOME OR TO PAY THE AMOUNTS WITHHELD, AND TO THE SUSPENSION OF A CHILD SUPPORT OBLIGATION, THE SATISFACTION OF SUPPORT PAYMENTS, NULLIFYING RELATED ADMINISTRATIVE RULES AND PROVIDING PENALTIES.

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

Section 1. Section 252B.9, subsection 1, paragraph d, subparagraph (2), Code 2005, is amended to read as follows:

(2) Certain records held by public utilities and, cable, or other television companies, cellular telephone companies, and internet service providers with respect to individuals who owe or are owed support, or against or with respect to whom a support obligation is sought, consisting of the names and addresses of such individuals and the names and addresses of the employers of such individuals, as appearing in customer records. If the records are maintained in automated databases, the unit shall be provided with automated access.

Sec. 2. Section 252B.20, subsection 1, paragraphs a, c, and d, Code 2005, are amended to read as follows:

a. The parents have reconciled and are cohabiting, and the child for whom support is ordered is living in the same residence as the parents, or the child is currently residing with the parent who is ordered to pay support. If the basis for suspension under this paragraph applies to at least one but not all of the children for whom support is ordered, the condition of this paragraph is met only if the support order includes a step change.

c. The parents have signed a notarized affidavit attesting to the conditions under paragraphs "a" and "b", have consented to suspension of the support order or obligation, and have submitted the affidavit to the unit.

d. No prior request for suspension has been filed with the unit during the two-year period preceding the request, unless the request was filed during the two-year period preceding July 1, 2005, the unit denied the request because the suspension did not apply to all children for whom support is ordered, and the parents jointly file a request on or after July 1, 2005.

Sec. 3. Section 252B.20, subsection 2, paragraph b, Code 2005, is amended to read as follows:

b. Approve the request and prepare an order which shall be submitted, along with the affidavit, to a judge of a district court for approval, suspending the accruing support obligation and, if requested by the obligee, and if not prohibited by chapter 252K, satisfying the obligation of support due the obligee. If the basis for suspension applies to at least one but not all of the children for whom support is ordered and the support order includes a step change, the unit shall prepare an order suspending the accruing support obligation for each child to whom the basis for suspension applies.

Sec. 4. Section 252B.20, subsection 5, unnumbered paragraph 1, Code 2005, is amended to read as follows:

During the six-month period the unit may request that the court reinstate the accruing support order or obligation if any of the following conditions exist:

Sec. 5. Section 252B.20, Code 2005, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. If a condition under subsection 5 exists, the unit may request that the court reinstate an accruing support obligation as follows:

a. If the basis for the suspension no longer applies to any of the children for whom an accruing support obligation was suspended, the unit shall request that the court reinstate the accruing support obligations for all of the children.

b. If the basis for the suspension continues to apply to at least one but not all of the children for whom an accruing support obligation was suspended and if the support order includes a step change, the unit shall request that the court reinstate the accruing support obligation for each child for whom the basis for the suspension no longer applies.

NEW SUBSECTION. 12. For the purposes of chapter 252H regarding the criteria for a review under subchapter II of that chapter or for a cost-of-living alteration under subchapter IV of that chapter, if a support obligation is terminated or reinstated under this section, such termination or reinstatement shall not be considered a modification of the support order.

NEW SUBSECTION. 13. As used in this section, unless the context otherwise requires, "step change" means a change designated in a support order specifying the amount of the child support obligation as the number of children entitled to support under the order changes.

Sec. 6. NEW SECTION. 252B.25 CONTEMPT -- COMBINING ACTIONS.

Notwithstanding any provision of law to the contrary, if an obligor has been ordered to provide support in more than one order, the unit may bring a single action for contempt to enforce the multiple orders. However, if the obligor objects to the consolidation of the actions regarding multiple orders into a single action for contempt, and the court determines that severance of the single action into multiple actions is in the interest of justice, the unit shall bring multiple actions for contempt to enforce the multiple orders. If the single action is brought and the obligor does not object, the unit shall file the action in the district court of a county where the obligor resides, or if the obligor does not reside in the state, in the district court of the county where at least one of the support orders was entered or registered. For the purposes of this section, the district court where the unit files the action shall have jurisdiction and authority

over all other support orders for the obligor entered or registered by a court of this state and affected under this section. In such case, the unit shall also file a document with the clerk of court in each county affected specifying the county where the action under this section was filed and the disposition of the action.

Sec. 7. NEW SECTION. 252B.26 SERVICE OF PROCESS.

Notwithstanding any provision of law to the contrary, the unit may serve a petition, notice, or rule to show cause under chapter 252A, 252C, 252F, 252H, 252K, 598, or 665 as specified in each chapter, or by certified mail. Return acknowledgement is required to prove service by certified mail, rules of civil procedure 1.303(5) and 1.308(5) shall not apply, and the return acknowledgment shall be filed with the clerk of court.

Sec. 8. Section 252D.3, Code 2005, is amended to read as follows:

252D.3 NOTICE OF INCOME WITHHOLDING.

All orders for support entered on or after July 1, 1984, shall notify the person ordered to pay support of the mandatory withholding of income required under section 252D.1. ~~However, for orders for support entered before July 1, 1984, the clerk of the district court, the child support recovery unit, or the person entitled by the order to receive the support payments, shall notify each person ordered to pay support under such orders of the mandatory withholding of income required under section 252D.1. The notice shall be sent by certified mail to the person's last known address or the person shall be personally served with the notice in the manner provided for service of an original notice at least fifteen days prior to the ordering of income withholding under section 252D.1. A person ordered to pay support may waive the right to receive the notice at any time. However, this subchapter is sufficient notice of implementation of mandatory withholding of income under section 252D.1 without any further notice.~~

Sec. 9. Section 252D.10, Code 2005, is amended to read as follows:

252D.10 NOTICE OF IMMEDIATE INCOME WITHHOLDING.

~~The notice requirements of section 252D.3 do not apply to this subchapter.~~ An order for support entered after November 1, 1990, shall contain the notice of immediate income withholding. However, this subchapter is sufficient notice for implementation of immediate income withholding without any further notice.

Sec. 10. Section 252D.16, subsection 1, paragraph b, Code 2005, is amended to read as follows:

b. A sole payment or lump sum as provided in section 252D.18C, including but not limited to payment from an estate including inheritance, or payment for personal injury or property damage.

Sec. 11. Section 252D.24, subsection 2, Code 2005, is amended by striking the subsection.

Sec. 12. Section 252I.3, Code 2005, is amended to read as follows:

252I.3 INITIAL NOTICE TO OBLIGOR.

~~The unit may proceed under this chapter only if notice has been provided to the obligor in one of the following manners:~~

~~1. The obligor is provided notice of the provisions of this chapter in the court order establishing the support obligation.~~ The unit or district court may include language in any new or modified support order issued on or after July 1, 1994, notifying the obligor that the obligor is subject to the provisions of this chapter. However, this chapter is sufficient notice for implementation of administrative levy provisions without further notice of the provisions of this chapter.

~~2. The unit may send a notice by regular mail to the last known address of the obligor, notifying the obligor that the obligor is subject to the provisions of this chapter, with proof of service completed according to rule of civil procedure 1.442.~~

Sec. 13. Section 252I.5, subsection 1, Code 2005, is amended to read as follows:

1. If an obligor is subject to this chapter under section 252I.2, the unit may initiate an administrative action to levy against the accounts of the obligor. ~~If notice has previously been provided pursuant to section 252I.3, further notice is not required.~~

Sec. 14. Section 252J.3, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The unit shall proceed in accordance with this chapter only if the unit sends a notice is served on to the individual ~~in accordance with rule of civil procedure 1.305 or notice is sent by certified mail addressed to the individual's last known address and served upon any person who may accept service under rule of civil procedure 1.305.~~ Return acknowledgment is required to prove service by certified by regular mail to the last known address of the individual. The notice shall include all of the following:

Sec. 15. Section 252J.3, subsections 4 and 5, Code 2005, are amended to read as follows:

4. A statement that if, within twenty days of service mailing of the notice on to the individual, the individual fails to contact the unit to schedule a conference, the unit shall issue a certificate of noncompliance, bearing the individual's name, social security number and unit case number, to any appropriate licensing authority, certifying that the obligor is not in compliance with a support order or an individual has not complied with a subpoena or warrant.

5. A statement that in order to stay the issuance of a certificate of noncompliance the request for a conference shall be in writing and shall be received by the unit within twenty days of service mailing of the notice on to the individual.

Sec. 16. Section 252J.4, subsections 1, 2, and 6, Code 2005, are amended to read as follows:

1. The individual may schedule a conference with the unit following service mailing of the notice pursuant to section 252J.3, or at any time after service of notice of suspension, revocation, denial of issuance, or nonrenewal of a license from a licensing authority, to challenge the unit's actions under this chapter.

2. The request for a conference shall be made to the unit, in writing, and, if requested after service mailing of a the notice pursuant to section 252J.3, shall be received by the unit within twenty days following service mailing of the notice.

6. If the individual does not timely request a conference or does not comply with a subpoena or warrant or if the obligor does not pay the total amount of delinquent support owed within twenty days of service mailing of the notice pursuant to section 252J.3, the unit shall issue a certificate of noncompliance.

Sec. 17. Section 252J.6, subsection 1, unnumbered paragraph 1, Code 2005, is amended to read as follows:

If an obligor is not in compliance with a support order or the individual is not in compliance with a subpoena or warrant pursuant to section 252J.2, the unit notifies mails a notice to the individual pursuant to section 252J.3, and the individual requests a conference pursuant to section 252J.4, the unit shall issue a written decision if any of the following conditions exists:

Sec. 18. Section 598.22A, subsection 1, unnumbered paragraph 1, Code 2005, is amended to read as follows:

For payment made pursuant to an order, the clerk of the district court or collection services center shall record a satisfaction as a credit on the official support payment record if its validity is confirmed by the court upon submission of an affidavit by the person entitled to receive the payment or upon submission of documentation of the financial instrument used in the payment of the support by the person ordered to pay support, after notice is given to all parties.

Sec. 19. Section 600.16A, subsection 5, Code 2005, is amended to read as follows:

5. Notwithstanding subsection 2, a termination of parental rights order issued pursuant to this chapter, section 600A.9 may, or any other chapter shall be disclosed to the child support recovery unit, upon request, without court order.

Sec. 20. NULLIFICATION OF RULES. The following rules are nullified:

1. 441 IAC 98.22.
2. 441 IAC 98.23.
3. 441 IAC 98.33.
4. 441 IAC 98.92.

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JOHN P. KIBBIE  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 350, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved 5/5, 2005

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THOMAS J. VILSACK  
Governor