

SENATE BILL REPORT

SB 5509

AS PASSED SENATE FEBRUARY 15, 1994

**Brief Description:** Prohibiting mandatory child support for postsecondary education of adult children.

**SPONSORS:** Senators Hargrove, Owen, Hochstatter, L. Smith, Snyder, Oke, Amondson, Sellar, Jesernig, Nelson, Newhouse, Bauer, Erwin, Roach and McDonald

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Quigley, Roach and Schow.

**Minority Report:** Do not pass.

Signed by Senators Niemi and Spanel.

**Staff:** Susan Carlson (786-7418)

**Hearing Dates:** February 9, 1993; February 16, 1993; January 25, 1994; January 28, 1994

**BACKGROUND:**

Under the child support laws, a court may order the payment of child support for postsecondary education until the child is 23 years old. However, the court has no authority to require a parent in an intact family to pay for the expenses of a child's postsecondary education.

**SUMMARY:**

The child support schedule shall not be used for postsecondary educational support of a child over the age of 18.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

All parents should have the right to choose whether to provide financial support for a child's college education. It is unfair to require divorced parents to pay postsecondary support when they could have chosen not to provide college support if they had not divorced.

**TESTIMONY AGAINST:**

The current statute fairly balances the interests of divorced parents and helps insure access to higher education by children from broken families.

**TESTIFIED:** PRO: Michele Delo, Cindy Wall, Washington Families for Noncustodial Rights; CON: Nancy Hawkins, NW Women's Law Center; Lonnie Johns-Brown, NOW; Ann Simons, WA Women United