
SECOND ENGROSSED SUBSTITUTE SENATE BILL 5375

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Wojahn, McCaslin, Haugen, Deccio, Franklin, Spanel, Kohl, Snyder, Quigley, Prentice, Oke and Moyer)

Read first time 03/01/95.

1 AN ACT Relating to suspension of licenses for failure to pay child
2 support; amending RCW 74.20A.020, 46.20.291, 46.20.311, 18.04.335,
3 18.11.160, 18.27.060, 18.39.181, 18.46.050, 18.96.120, 18.104.110,
4 18.130.050, 18.130.150, 18.160.080, and 43.20A.205; adding new sections
5 to chapter 74.20A RCW; adding a new section to chapter 2.48 RCW; adding
6 a new section to chapter 18.04 RCW; adding a new section to chapter
7 18.08 RCW; adding a new section to chapter 18.16 RCW; adding a new
8 section to chapter 18.20 RCW; adding a new section to chapter 18.28
9 RCW; adding a new section to chapter 18.39 RCW; adding a new section to
10 chapter 18.43 RCW; adding a new section to chapter 18.44 RCW; adding a
11 new section to chapter 18.51 RCW; adding a new section to chapter 18.76
12 RCW; adding a new section to chapter 18.85 RCW; adding a new section to
13 chapter 18.106 RCW; adding a new section to chapter 18.130 RCW; adding
14 a new section to chapter 18.140 RCW; adding a new section to chapter
15 18.145 RCW; adding a new section to chapter 18.165 RCW; adding a new
16 section to chapter 18.170 RCW; adding a new section to chapter 18.175
17 RCW; adding a new section to chapter 18.185 RCW; adding a new section
18 to chapter 26.18 RCW; and creating new sections.

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

1 NEW SECTION. **Sec. 1.** The legislature recognizes that the current
2 statutory procedures for the collection of child support do not apply
3 to all persons owing child support. In order to further insure that
4 child support obligations are met, this act establishes a program by
5 which certain licenses may be suspended if a person is one hundred
6 eighty days or more in arrears on child support payments. With this
7 program, it is the intent of the legislature to provide a strong
8 incentive for persons owing support to make timely payments, and to
9 cooperate with the department of social and health services to
10 establish an appropriate schedule for the payment of any arrears.

11 In the implementation and management of this program, it is the
12 legislature's intent that the objective of the department of social and
13 health services be to obtain payment in full of arrears, or where that
14 is not possible, to enter into agreements with delinquent obligors to
15 make timely support payments and make reasonable payments towards the
16 arrears. The legislature intends that if the obligor refuses to
17 cooperate in establishing a fair and reasonable payment schedule for
18 arrears, or refuses to make timely support payments, the department
19 shall proceed with certification to a licensing entity or the
20 department of licensing that the person is not in compliance with a
21 child support order.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.20A RCW
23 to read as follows:

24 (1) As used in this section, unless the context indicates
25 otherwise, the following terms have the following meanings.

26 (a) "Licensing entity" includes any department, board, commission,
27 or other organization of the state authorized by Title 18 RCW to issue,
28 renew, suspend, or revoke a license authorizing an individual to engage
29 in a business, occupation, profession, or industry, and the Washington
30 state bar association.

31 (b) "Noncompliance with a child support order" means a responsible
32 parent has:

33 (i) Accumulated arrears totaling more than six months of child
34 support payments;

35 (ii) Failed to make payments pursuant to a written agreement with
36 the department towards a support arrearage in an amount that exceeds
37 six months of payments; or

1 (iii) Failed to make payments required by a superior court order or
2 administrative order towards a support arrearage in an amount that
3 exceeds six months of payments.

4 (c) "License" means a license, certificate, registration, permit,
5 approval, or other similar document issued by a licensing entity
6 evidencing admission to or granting authority to engage in a
7 profession, occupation, business, or industry.

8 (d) "Licensee" means any individual holding a license, certificate,
9 registration, permit, approval, or other similar document issued by a
10 licensing entity evidencing admission to or granting authority to
11 engage in a profession, occupation, business, or industry.

12 (2) The department may serve upon a responsible parent a notice
13 informing the responsible parent of the department's intent to submit
14 the parent's name to the department of licensing and any appropriate
15 licensing entity as a licensee who is not in compliance with a child
16 support order except as provided in subsection (3) of this section.
17 The department shall attach a copy of the responsible parent's child
18 support order to the notice. Service of the notice must be made by
19 certified mail, return receipt requested, or by personal service.

20 (3) The department shall not issue a notice of noncompliance with
21 a child support order under this section when the department can
22 withhold the responsible parent's earnings under RCW 26.23.060 in an
23 amount sufficient to ensure the payment of current support and a
24 reasonable amount towards arrears.

25 (4) The notice of noncompliance must include the address and
26 telephone number of the department's division of child support office
27 that issues the notice and must inform the responsible parent that:

28 (a) The parent may request an adjudicative proceeding to contest
29 the issue of compliance. The only issues that may be considered at the
30 adjudicative proceeding are whether the parent is required to pay child
31 support under a child support order and whether the parent is in
32 compliance with that order;

33 (b) A request for an adjudicative proceeding shall be in writing
34 and must be received by the department within twenty days of the date
35 of service of the notice;

36 (c) If the parent requests an adjudicative proceeding within twenty
37 days of service, the department will stay action to certify the parent
38 to the department of licensing and any licensing entity for

1 noncompliance with a child support order pending entry of a written
2 decision after the adjudicative proceeding;

3 (d) If the parent does not request an adjudicative proceeding
4 within twenty days of service and remains in noncompliance with a child
5 support order, the department will certify the parent's name to the
6 department of licensing and any appropriate licensing entity for
7 noncompliance with a child support order;

8 (e) The department will stay action to certify the parent to the
9 department of licensing and any licensing entity for noncompliance if
10 the parent agrees to make timely payments of current support and agrees
11 to a reasonable payment schedule for payment of the arrears. It is the
12 parent's responsibility to contact in person or by mail the
13 department's division of child support office indicated on the notice
14 within twenty days of service of the notice to arrange for a payment
15 schedule. The department may stay certification for up to thirty days
16 after contact from a parent to arrange for a payment schedule;

17 (f) If the department certifies the responsible parent to the
18 department of licensing and a licensing entity for noncompliance with
19 a child support order, the licensing entity will suspend the parent's
20 license and the department of licensing will suspend any driver's
21 license that the parent holds until the parent provides the department
22 of licensing and the licensing entity with a written release from the
23 department stating that the responsible parent is in compliance with
24 the child support order;

25 (g) Suspension of a license will affect insurability if the
26 responsible parent's insurance policy excludes coverage for acts
27 occurring after the suspension of a license;

28 (h) If after receiving the notice of noncompliance with a child
29 support order, the responsible parent files a motion to modify support
30 with the court or requests the department to amend a support obligation
31 established by an administrative decision, the department or the court
32 may, for up to one hundred eighty days, stay action to certify the
33 parent to the department of licensing and any licensing entity for
34 noncompliance with a child support order. If a motion for modification
35 of a court or administrative order for child support is pending prior
36 to service of the notice, any action to certify the parent to a
37 licensing entity for noncompliance with a child support order shall be
38 automatically stayed until entry of a final order or decision in the
39 modification proceedings. The responsible parent has the obligation to

1 notify the department that a modification proceeding is pending and
2 provide a copy of the motion or request for modification; and

3 (i) If the responsible parent subsequently becomes in compliance
4 with the child support order, the department will promptly provide the
5 parent with a written release stating that the parent is in compliance
6 with the order, and the parent may request that the licensing entity or
7 the department of licensing reinstate the suspended license.

8 (5) A responsible parent may request an adjudicative proceeding
9 upon service of the notice described in subsection (2) of this section.
10 The request for an adjudicative proceeding must be received by the
11 department within twenty days of service. The request must be in
12 writing and indicate the current mailing address and daytime phone
13 number, if available, of the responsible parent. The proceedings under
14 this subsection shall be conducted in accordance with the requirements
15 of chapter 34.05 RCW. The issues that may be considered at the
16 adjudicative proceeding are limited to whether the responsible parent
17 is required to pay child support under a child support order and
18 whether the responsible parent is in compliance with the order.

19 (6) The decision resulting from the adjudicative proceeding must be
20 in writing and inform the responsible parent of all rights to review.
21 The parent's copy of the decision may be sent by regular mail to the
22 parent's most recent address of record.

23 (7) If a responsible parent contacts the department's division of
24 child support office indicated on the notice of noncompliance within
25 twenty days of service of the notice and requests arrangement of a
26 payment schedule, the department shall stay the certification of
27 noncompliance during negotiation of the schedule for payment of
28 arrears. In no event shall the stay continue for more than thirty days
29 from the date of contact by the parent. The department shall make good
30 faith efforts to establish a schedule for payment of arrears that is
31 fair and reasonable, and that considers the financial situation of the
32 responsible parent and the needs of all children who rely on the
33 responsible parent for support. At the end of the thirty days, if no
34 payment schedule has been agreed to in writing, the department shall
35 proceed with certification of noncompliance.

36 (8) If a responsible parent timely requests an adjudicative
37 proceeding to contest the issue of compliance, the department may not
38 certify the name of the parent to the department of licensing or a
39 licensing entity for noncompliance with a child support order unless

1 the adjudicative proceeding results in a finding that the responsible
2 parent is not in compliance with the order.

3 (9) The department may certify in writing to the department of
4 licensing and any appropriate licensing entity the name of a
5 responsible parent who is not in compliance with a child support order
6 if:

7 (a) The responsible parent does not timely request an adjudicative
8 proceeding upon service of a notice issued under subsection (2) of this
9 section and is not in compliance with a child support order twenty-one
10 days after service of the notice;

11 (b) An adjudicative proceeding results in a decision that the
12 responsible parent is not in compliance with a child support order;

13 (c) The department and the responsible parent have been unable to
14 agree on a fair and reasonable schedule for payment of the arrears; or

15 (d) The court enters a judgment on a petition for judicial review
16 that finds the responsible parent is not in compliance with a child
17 support order.

18 The department shall send by regular mail a copy of any
19 certification of noncompliance filed with the department of licensing
20 or a licensing entity to the responsible parent at the responsible
21 parent's most recent address of record.

22 (10) The department of licensing and a licensing entity shall
23 notify a responsible parent certified by the department under
24 subsection (9) of this section, without undue delay, that the parent's
25 driver's license or other license has been suspended because the
26 parent's name has been certified by the department as a responsible
27 parent who is not in compliance with a child support order.

28 (11) When a responsible parent who is served notice under
29 subsection (2) of this section subsequently complies with the child
30 support order, the department shall promptly provide the parent with a
31 written release stating that the responsible parent is in compliance
32 with the order.

33 (12) The department may adopt rules to implement and enforce the
34 requirements of this section.

35 (13) Nothing in this section prohibits a responsible parent from
36 filing a motion to modify support with the court or from requesting the
37 department to amend a support obligation established by an
38 administrative decision. If there is a reasonable likelihood that the
39 motion or request will significantly change the amount of the arrears,

1 the department or the court may, for up to one hundred eighty days,
2 stay action to certify the responsible parent to the department of
3 licensing and any licensing entity for noncompliance with a child
4 support order. If a motion for modification of a court or
5 administrative order for child support is pending prior to service of
6 the notice, any action to certify the parent to a licensing entity for
7 noncompliance with a child support order shall be automatically stayed
8 until entry of a final order or decision in the modification
9 proceedings. The responsible parent has the obligation to notify the
10 department that a modification proceeding is pending and provide a copy
11 of the motion or request for modification.

12 (14) The department of licensing and a licensing entity may issue,
13 renew, reinstate, or otherwise extend a license in accordance with the
14 licensing entity's or the department of licensing's rules after the
15 licensing entity or the department of licensing receives a copy of the
16 written release specified in subsection (11) of this section. The
17 department of licensing and a licensing entity may waive any applicable
18 requirement for reissuance, renewal, or other extension if it
19 determines that the imposition of that requirement places an undue
20 burden on the person and that waiver of the requirement is consistent
21 with the public interest.

22 NEW SECTION. Sec. 3. A new section is added to chapter 74.20A RCW
23 to read as follows:

24 (1) The department of social and health services and all of the
25 various licensing entities subject to section 2 of this act shall enter
26 into such agreements as are necessary to carry out the requirements of
27 the license suspension program established in section 2 of this act,
28 but only to the extent the departments and the licensing entities
29 determine it is cost-effective.

30 (2) On or before January 1, 1996, and quarterly thereafter, the
31 department of social and health services and all licensing entities
32 subject to section 2 of this act shall perform a comparison of
33 responsible parents who are not in compliance with a child support
34 order, as defined in section 2 of this act, with all licensees subject
35 to chapter . . ., Laws of 1995 1st sp. sess. (this act). The
36 comparison may be conducted electronically, or by any other means that
37 is jointly agreeable between the department and the particular
38 licensing entity. The data shared shall be limited to those items

1 necessary to implementation of chapter . . . , Laws of 1995 1st sp.
2 sess. (this act). The purpose of the comparison shall be to identify
3 current licensees who are not in compliance with a child support order,
4 and to provide to the department of social and health services the
5 following information regarding those licensees:

6 (a) Name;

7 (b) Date of birth;

8 (c) Address of record;

9 (d) Federal employer identification number or social security
10 number;

11 (e) Type of license;

12 (f) Effective date of license or renewal;

13 (g) Expiration date of license; and

14 (h) Active or inactive status.

15 **Sec. 4.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each
16 amended to read as follows:

17 Unless a different meaning is plainly required by the context, the
18 following words and phrases as hereinafter used in this chapter and
19 chapter 74.20 RCW shall have the following meanings:

20 (1) "Department" means the state department of social and health
21 services.

22 (2) "Secretary" means the secretary of the department of social and
23 health services, his designee or authorized representative.

24 (3) "Dependent child" means any person:

25 (a) Under the age of eighteen who is not self-supporting, married,
26 or a member of the armed forces of the United States; or

27 (b) Over the age of eighteen for whom a court order for support
28 exists.

29 (4) "Support obligation" means the obligation to provide for the
30 necessary care, support, and maintenance, including medical expenses,
31 of a dependent child or other person as required by statutes and the
32 common law of this or another state.

33 (5) "Child support order" means a superior court order or an
34 administrative order.

35 (6) "Superior court order" means any judgment, decree, or order of
36 the superior court of the state of Washington, or a court of comparable
37 jurisdiction of another state, establishing the existence of a support
38 obligation and ordering payment of a set or determinable amount of

1 support moneys to satisfy the support obligation. For purposes of RCW
2 74.20A.055, orders for support which were entered under the uniform
3 reciprocal enforcement of support act by a state where the responsible
4 parent no longer resides shall not preclude the department from
5 establishing an amount to be paid as current and future support.

6 ~~((+6))~~ (7) "Administrative order" means any determination,
7 finding, decree, or order for support pursuant to RCW 74.20A.055, or by
8 an agency of another state pursuant to a substantially similar
9 administrative process, establishing the existence of a support
10 obligation and ordering the payment of a set or determinable amount of
11 support moneys to satisfy the support obligation.

12 ~~((+7))~~ (8) "Responsible parent" means a natural parent, adoptive
13 parent, or stepparent of a dependent child or a person who has signed
14 an affidavit acknowledging paternity which has been filed with the
15 state office of vital statistics.

16 ~~((+8))~~ (9) "Stepparent" means the present spouse of the person who
17 is either the mother, father, or adoptive parent of a dependent child,
18 and such status shall exist until terminated as provided for in RCW
19 26.16.205.

20 ~~((+9))~~ (10) "Support moneys" means any moneys or in-kind
21 providings paid to satisfy a support obligation whether denominated as
22 child support, spouse support, alimony, maintenance, or any other such
23 moneys intended to satisfy an obligation for support of any person or
24 satisfaction in whole or in part of arrears or delinquency on such an
25 obligation.

26 ~~((+10))~~ (11) "Support debt" means any delinquent amount of support
27 moneys which is due, owing, and unpaid under a superior court order or
28 an administrative order, a debt for the payment of expenses for the
29 reasonable or necessary care, support, and maintenance, including
30 medical expenses, of a dependent child or other person for whom a
31 support obligation is owed; or a debt under RCW 74.20A.100 or
32 74.20A.270. Support debt also includes any accrued interest, fees, or
33 penalties charged on a support debt, and attorneys fees and other costs
34 of litigation awarded in an action to establish and enforce a support
35 obligation or debt.

36 ~~((+11))~~ (12) "State" means any state or political subdivision,
37 territory, or possession of the United States, the District of
38 Columbia, and the Commonwealth of Puerto Rico.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.20A RCW
2 to read as follows:

3 In furtherance of the public policy of increasing collection of
4 child support and to assist in evaluation of the program established in
5 section 2 of this act, the department shall report the following to the
6 legislature and the governor on December 1, 1996, and annually
7 thereafter:

8 (1) The number of responsible parents identified as licensees
9 subject to section 2 of this act;

10 (2) The number of responsible parents identified by the department
11 as not in compliance with a child support order;

12 (3) The number of notices of noncompliance served upon responsible
13 parents by the department;

14 (4) The number of responsible parents served a notice of
15 noncompliance who request an adjudicative proceeding;

16 (5) The number of adjudicative proceedings held, and the results of
17 the adjudicative proceedings;

18 (6) The number of responsible parents certified to the department
19 of licensing or licensing entities for noncompliance with a child
20 support order, and the type of license the parents held;

21 (7) The costs incurred in the implementation and enforcement of
22 section 2 of this act and an estimate of the amount of child support
23 collected due to the departments under section 2 of this act;

24 (8) Any other information regarding this program that the
25 department feels will assist in evaluation of the program;

26 (9) Recommendations for the addition of specific licenses in the
27 program or exclusion of specific licenses from the program, and reasons
28 for such recommendations; and

29 (10) Any recommendations for statutory changes necessary for the
30 cost-effective management of the program.

31 **Sec. 6.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to read
32 as follows:

33 The department is authorized to suspend the license of a driver
34 upon a showing by its records or other sufficient evidence that the
35 licensee:

36 (1) Has committed an offense for which mandatory revocation or
37 suspension of license is provided by law;

1 (2) Has, by reckless or unlawful operation of a motor vehicle,
2 caused or contributed to an accident resulting in death or injury to
3 any person or serious property damage;

4 (3) Has been convicted of offenses against traffic regulations
5 governing the movement of vehicles, or found to have committed traffic
6 infractions, with such frequency as to indicate a disrespect for
7 traffic laws or a disregard for the safety of other persons on the
8 highways;

9 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
10 ((or))

11 (5) Has failed to respond to a notice of traffic infraction, failed
12 to appear at a requested hearing, violated a written promise to appear
13 in court, or has failed to comply with the terms of a notice of traffic
14 infraction or citation, as provided in RCW 46.20.289; ((or))

15 (6) Has committed one of the prohibited practices relating to
16 drivers' licenses defined in RCW 46.20.336; or

17 (7) Has been certified by the department of social and health
18 services as a person who is not in compliance with a child support
19 order as provided in section 2 of this act.

20 **Sec. 7.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to read
21 as follows:

22 (1) The department shall not suspend a driver's license or
23 privilege to drive a motor vehicle on the public highways for a fixed
24 period of more than one year, except as specifically permitted under
25 RCW 46.20.342 or other provision of law. Except for a suspension under
26 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
27 privilege of any person is suspended by reason of a conviction, a
28 finding that a traffic infraction has been committed, pursuant to
29 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
30 suspension shall remain in effect until the person gives and thereafter
31 maintains proof of financial responsibility for the future as provided
32 in chapter 46.29 RCW. If the suspension is the result of a violation
33 of RCW 46.61.502 or 46.61.504, the department shall determine the
34 person's eligibility for licensing based upon the reports provided by
35 the alcoholism agency or probation department designated under RCW
36 46.61.5056 and shall deny reinstatement until enrollment and
37 participation in an approved program has been established and the
38 person is otherwise qualified. Whenever the license or driving

1 privilege of any person is suspended as a result of certification of
2 noncompliance with a child support order under chapter 74.20A RCW, the
3 suspension shall remain in effect until the person provides a written
4 release issued by the department of social and health services stating
5 that the person is in compliance with the order. If a driver's license
6 is suspended under chapter 74.20A RCW, the motor vehicle record for the
7 suspended driver shall include a notation that explains the reason for
8 the suspension. The department shall not issue to the person a new,
9 duplicate, or renewal license until the person pays a reissue fee of
10 twenty dollars. If the suspension is the result of a violation of RCW
11 46.61.502 or 46.61.504, or is the result of administrative action under
12 RCW 46.20.308, the reissue fee shall be fifty dollars.

13 (2) Any person whose license or privilege to drive a motor vehicle
14 on the public highways has been revoked, unless the revocation was for
15 a cause which has been removed, is not entitled to have the license or
16 privilege renewed or restored until: (a) After the expiration of one
17 year from the date the license or privilege to drive was revoked; (b)
18 after the expiration of the applicable revocation period provided by
19 RCW 46.20.--- or 46.61.--- (section 3 or 5, chapter 332, Laws of 1995);
20 (c) after the expiration of two years for persons convicted of
21 vehicular homicide; or (d) after the expiration of the applicable
22 revocation period provided by RCW 46.20.265. After the expiration of
23 the appropriate period, the person may make application for a new
24 license as provided by law together with a reissue fee in the amount of
25 twenty dollars, but if the revocation is the result of a violation of
26 RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be fifty
27 dollars. If the revocation is the result of a violation of RCW
28 46.61.502 or 46.61.504, the department shall determine the person's
29 eligibility for licensing based upon the reports provided by the
30 alcoholism agency or probation department designated under RCW
31 46.61.5056 and shall deny reissuance of a license, permit, or privilege
32 to drive until enrollment and participation in an approved program has
33 been established and the person is otherwise qualified. Except for a
34 revocation under RCW 46.20.265, the department shall not then issue a
35 new license unless it is satisfied after investigation of the driving
36 ability of the person that it will be safe to grant the privilege of
37 driving a motor vehicle on the public highways, and until the person
38 gives and thereafter maintains proof of financial responsibility for
39 the future as provided in chapter 46.29 RCW. For a revocation under

1 RCW 46.20.265, the department shall not issue a new license unless it
2 is satisfied after investigation of the driving ability of the person
3 that it will be safe to grant that person the privilege of driving a
4 motor vehicle on the public highways.

5 (3) Whenever the driver's license of any person is suspended
6 pursuant to Article IV of the nonresident violators compact or RCW
7 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
8 to the person any new or renewal license until the person pays a
9 reissue fee of twenty dollars. If the suspension is the result of a
10 violation of the laws of this or any other state, province, or other
11 jurisdiction involving (a) the operation or physical control of a motor
12 vehicle upon the public highways while under the influence of
13 intoxicating liquor or drugs, or (b) the refusal to submit to a
14 chemical test of the driver's blood alcohol content, the reissue fee
15 shall be fifty dollars.

16 NEW SECTION. **Sec. 8.** A new section is added to chapter 2.48 RCW
17 to read as follows:

18 ATTORNEYS. Any member of the Washington state bar association who
19 has been certified by the department of social and health services as
20 a person who is not in compliance with a child support order as
21 provided in section 2 of this act shall be immediately suspended from
22 membership. Membership shall not be reinstated until the person
23 provides the Washington state bar association a written release issued
24 by the department of social and health services stating that the person
25 is in compliance with the order. If the person has continued to meet
26 all other requirements for membership during the suspension,
27 reinstatement shall be automatic upon receipt of the notice and payment
28 of any reinstatement fee the association may impose.

29 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.04 RCW
30 to read as follows:

31 ACCOUNTANTS. The board shall immediately suspend the certificate
32 or license of a person who has been certified pursuant to section 2 of
33 this act by the department of social and health services as a person
34 who is not in compliance with a child support order.

35 **Sec. 10.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
36 read as follows:

1 ACCOUNTANTS. (1) Upon application in writing and after hearing
2 pursuant to notice, the board may:

3 (~~(1)~~) (a) Modify the suspension of, or reissue a certificate or
4 license to, an individual whose certificate has been revoked or
5 suspended; or

6 (~~(2)~~) (b) Modify the suspension of, or reissue a license to a
7 firm whose license has been revoked, suspended, or which the board has
8 refused to renew.

9 (2) In the case of suspension for failure to comply with a child
10 support order under chapter 74.20A RCW, if the person has continued to
11 meet all other requirements for reinstatement during the suspension,
12 reissuance of a certificate or license shall be automatic upon the
13 board's receipt of a written release issued by the department of social
14 and health services stating that the individual is in compliance with
15 the child support order.

16 NEW SECTION. Sec. 11. A new section is added to chapter 18.08 RCW
17 to read as follows:

18 ARCHITECTS. The board shall immediately suspend the certificate of
19 registration or certificate of authorization to practice architecture
20 of a person who has been certified pursuant to section 2 of this act by
21 the department of social and health services as a person who is not in
22 compliance with a child support order. If the person has continued to
23 meet other requirements for reinstatement during the suspension,
24 reissuance of the certificate shall be automatic upon the board's
25 receipt of a written release issued by the department of social and
26 health services stating that the individual is in compliance with the
27 child support order.

28 Sec. 12. RCW 18.11.160 and 1986 c 324 s 12 are each amended to
29 read as follows:

30 AUCTIONEERS. (1) No license shall be issued by the department to
31 any person who has been convicted of forgery, embezzlement, obtaining
32 money under false pretenses, extortion, criminal conspiracy, fraud,
33 theft, receiving stolen goods, unlawful issuance of checks or drafts,
34 or other similar offense, or to any partnership of which the person is
35 a member, or to any association or corporation of which the person is
36 an officer or in which as a stockholder the person has or exercises a
37 controlling interest either directly or indirectly.

1 (2) The following shall be grounds for denial, suspension, or
2 revocation of a license, or imposition of an administrative fine by the
3 department:

4 (a) Misrepresentation or concealment of material facts in obtaining
5 a license;

6 (b) Underreporting to the department of sales figures so that the
7 auctioneer or auction company surety bond is in a lower amount than
8 required by law;

9 (c) Revocation of a license by another state;

10 (d) Misleading or false advertising;

11 (e) A pattern of substantial misrepresentations related to
12 auctioneering or auction company business;

13 (f) Failure to cooperate with the department in any investigation
14 or disciplinary action;

15 (g) Nonpayment of an administrative fine prior to renewal of a
16 license;

17 (h) Aiding an unlicensed person to practice as an auctioneer or as
18 an auction company; and

19 (i) Any other violations of this chapter.

20 (3) The department shall immediately suspend the license of a
21 person who has been certified pursuant to section 2 of this act by the
22 department of social and health services as a person who is not in
23 compliance with a child support order. If the person has continued to
24 meet all other requirements for reinstatement during the suspension,
25 reissuance of the license shall be automatic upon the department's
26 receipt of a written release issued by the department of social and
27 health services stating that the licensee is in compliance with the
28 child support order.

29 NEW SECTION. Sec. 13. A new section is added to chapter 18.16 RCW
30 to read as follows:

31 COSMETOLOGISTS, BARBERS, AND MANICURISTS. The department shall
32 immediately suspend the license of a person who has been certified
33 pursuant to section 2 of this act by the department of social and
34 health services as a person who is not in compliance with a child
35 support order. If the person has continued to meet all other
36 requirements for reinstatement during the suspension, reissuance of the
37 license shall be automatic upon the department's receipt of a written

1 release issued by the department of social and health services stating
2 that the licensee is in compliance with the child support order.

3 NEW SECTION. **Sec. 14.** A new section is added to chapter 18.20 RCW
4 to read as follows:

5 BOARDING HOMES. The department shall immediately suspend the
6 license of a person who has been certified pursuant to section 2 of
7 this act by the department of social and health services as a person
8 who is not in compliance with a child support order. If the person has
9 continued to meet all other requirements for reinstatement during the
10 suspension, reissuance of the license shall be automatic upon the
11 department's receipt of a written release issued by the department of
12 social and health services stating that the licensee is in compliance
13 with the child support order.

14 **Sec. 15.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
15 amended to read as follows:

16 CONTRACTORS. (1) A certificate of registration shall be valid for
17 one year and shall be renewed on or before the expiration date. The
18 department shall issue to the applicant a certificate of registration
19 upon compliance with the registration requirements of this chapter.

20 (2) If the department approves an application, it shall issue a
21 certificate of registration to the applicant. The certificate shall be
22 valid for:

23 (a) One year;

24 (b) Until the bond expires; or

25 (c) Until the insurance expires, whichever comes first. The
26 department shall place the expiration date on the certificate.

27 (3) A contractor may supply a short-term bond or insurance policy
28 to bring its registration period to the full one year.

29 (4) If a contractor's surety bond or other security has an
30 unsatisfied judgment against it or is canceled, or if the contractor's
31 insurance policy is canceled, the contractor's registration shall be
32 automatically suspended on the effective date of the impairment or
33 cancellation. The department shall give notice of the suspension to
34 the contractor.

35 (5) The department shall immediately suspend the certificate of
36 registration of a contractor who has been certified by the department
37 of social and health services as a person who is not in compliance with

1 a child support order as provided in section 2 of this act. The
2 certificate of registration shall not be reissued or renewed unless the
3 person provides to the department a written release from the department
4 of social and health services stating that he or she is in compliance
5 with the child support order and the person has continued to meet all
6 other requirements for certification during the suspension.

7 NEW SECTION. Sec. 16. A new section is added to chapter 18.28 RCW
8 to read as follows:

9 DEBT ADJUSTERS. The department shall immediately suspend the
10 license of a person who has been certified pursuant to section 2 of
11 this act by the department of social and health services as a person
12 who is not in compliance with a child support order. If the person has
13 continued to meet all other requirements for reinstatement during the
14 suspension, reissuance of the license shall be automatic upon the
15 department's receipt of a written release issued by the department of
16 social and health services stating that the licensee is in compliance
17 with the child support order.

18 **Sec. 17.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
19 read as follows:

20 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the
21 following powers and duties:

- 22 (1) To issue all licenses provided for under this chapter;
23 (2) To annually renew licenses under this chapter;
24 (3) To collect all fees prescribed and required under this chapter;
25 ((and))
26 (4) To immediately suspend the license of a person who has been
27 certified pursuant to section 2 of this act by the department of social
28 and health services as a person who is not in compliance with a child
29 support order; and
30 (5) To keep general books of record of all official acts,
31 proceedings, and transactions of the department of licensing while
32 acting under this chapter.

33 NEW SECTION. Sec. 18. A new section is added to chapter 18.39 RCW
34 to read as follows:

35 EMBALMERS AND FUNERAL DIRECTORS. In the case of suspension for
36 failure to comply with a child support order under chapter 74.20A RCW,

1 if the person has continued to meet all other requirements for
2 reinstatement during the suspension, reissuance of a license shall be
3 automatic upon the director's receipt of a written release issued by
4 the department of social and health services stating that the
5 individual is in compliance with the child support order.

6 NEW SECTION. Sec. 19. A new section is added to chapter 18.43 RCW
7 to read as follows:

8 ENGINEERS AND LAND SURVEYORS. The board shall immediately suspend
9 the registration of a person who has been certified pursuant to section
10 2 of this act by the department of social and health services as a
11 person who is not in compliance with a child support order. If the
12 person has continued to meet all other requirements for membership
13 during the suspension, reissuance of the registration shall be
14 automatic upon the board's receipt of a written release issued by the
15 department of social and health services stating that the person is in
16 compliance with the child support order.

17 NEW SECTION. Sec. 20. A new section is added to chapter 18.44 RCW
18 to read as follows:

19 ESCROW AGENTS. The department shall immediately suspend the
20 certificate of registration of a person who has been certified pursuant
21 to section 2 of this act by the department of social and health
22 services as a person who is not in compliance with a child support
23 order. If the person has continued to meet all other requirements for
24 certification during the suspension, reissuance of the certificate
25 shall be automatic upon the department's receipt of a written release
26 issued by the department of social and health services stating that the
27 person is in compliance with the child support order.

28 **Sec. 21.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read
29 as follows:

30 MATERNITY HOMES. The department may deny, suspend, or revoke a
31 license in any case in which it finds that there has been failure or
32 refusal to comply with the requirements established under this chapter
33 or the rules adopted under it.

34 The department shall immediately suspend the license of a person
35 who has been certified pursuant to section 2 of this act by the
36 department of social and health services as a person who is not in

1 compliance with a child support order. If the person has continued to
2 meet all other requirements for reinstatement during the suspension,
3 reissuance of the license shall be automatic upon the department's
4 receipt of a written release issued by the department of social and
5 health services stating that the person is in compliance with the child
6 support order.

7 RCW 43.70.115 governs notice of a license denial, revocation,
8 suspension, or modification and provides the right to an adjudicative
9 proceeding.

10 NEW SECTION. Sec. 22. A new section is added to chapter 18.51 RCW
11 to read as follows:

12 NURSING HOME OPERATORS. The department shall immediately suspend
13 the license of a person who has been certified pursuant to section 2 of
14 this act by the department of social and health services, division of
15 child support, as a person who is not in compliance with a child
16 support order. If the person has continued to meet all other
17 requirements for reinstatement during the suspension, reissuance of the
18 license shall be automatic upon the department's receipt of a written
19 release issued by the division of child support stating that the person
20 is in compliance with the child support order.

21 NEW SECTION. Sec. 23. A new section is added to chapter 18.76 RCW
22 to read as follows:

23 POISON CENTER MEDICAL DIRECTOR/POISON INFORMATION SPECIALISTS. The
24 department shall immediately suspend the certification of a poison
25 center medical director or a poison information specialist who has been
26 certified pursuant to section 2 of this act by the department of social
27 and health services as a person who is not in compliance with a child
28 support order. If the person has continued to meet all other
29 requirements for certification during the suspension, reissuance of the
30 certification shall be automatic upon the department's receipt of a
31 written release issued by the department of social and health services
32 stating that the person is in compliance with the child support order.

33 NEW SECTION. Sec. 24. A new section is added to chapter 18.85 RCW
34 to read as follows:

35 REAL ESTATE BROKERS AND SALESPERSONS. The director shall
36 immediately suspend the license of a broker or salesperson who has been

1 certified pursuant to section 2 of this act by the department of social
2 and health services as a person who is not in compliance with a child
3 support order. If the person has continued to meet all other
4 requirements for reinstatement during the suspension, reissuance of the
5 license shall be automatic upon the director's receipt of a written
6 release issued by the department of social and health services stating
7 that the person is in compliance with the child support order.

8 **Sec. 25.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
9 to read as follows:

10 LANDSCAPE ARCHITECTS. (1) The director may refuse to renew, or may
11 suspend or revoke, a certificate of registration to use the titles
12 landscape architect, landscape architecture, or landscape architectural
13 in this state upon the following grounds:

14 ~~((+1))~~ (a) The holder of the certificate of registration is
15 impersonating a practitioner or former practitioner.

16 ~~((+2))~~ (b) The holder of the certificate of registration is guilty
17 of fraud, deceit, gross negligence, gross incompetency or gross
18 misconduct in the practice of landscape architecture.

19 ~~((+3))~~ (c) The holder of the certificate of registration permits
20 his seal to be affixed to any plans, specifications or drawings that
21 were not prepared by him or under his personal supervision by employees
22 subject to his direction and control.

23 ~~((+4))~~ (d) The holder of the certificate has committed fraud in
24 applying for or obtaining a certificate.

25 (2) The director shall immediately suspend the certificate of
26 registration of a landscape architect who has been certified pursuant
27 to section 2 of this act by the department of social and health
28 services as a person who is not in compliance with a child support
29 order. If the person has continued to meet all other requirements for
30 certification during the suspension, reissuance of the certificate of
31 registration shall be automatic upon the director's receipt of a
32 written release issued by the department of social and health services
33 stating that the person is in compliance with the child support order.

34 **Sec. 26.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
35 read as follows:

36 WATER WELL CONSTRUCTION. (1) In cases other than those relating to
37 the failure of a licensee to renew a license, the director may suspend

1 or revoke a license issued pursuant to this chapter for any of the
2 following reasons:

3 ~~((1))~~ (a) For fraud or deception in obtaining the license;

4 ~~((2))~~ (b) For fraud or deception in reporting under RCW
5 18.104.050;

6 ~~((3))~~ (c) For violating the provisions of this chapter, or of any
7 lawful rule or regulation of the department or the department of
8 health.

9 (2) The director shall immediately suspend any license issued under
10 this chapter if the holder of the license has been certified pursuant
11 to section 2 of this act by the department of social and health
12 services as a person who is not in compliance with a child support
13 order. If the person has continued to meet all other requirements for
14 reinstatement during the suspension, reissuance of the license shall be
15 automatic upon the director's receipt of a written release issued by
16 the department of social and health services stating that the person is
17 in compliance with the child support order.

18 (3) No license shall be suspended for more than six months, except
19 that a suspension under section 2 of this act shall continue until the
20 department receives a written release issued by the department of
21 social and health services stating that the person is in compliance
22 with the order.

23 (4) No person whose license is revoked shall be eligible to apply
24 for a license for one year from the effective date of the final order
25 of revocation.

26 NEW SECTION. Sec. 27. A new section is added to chapter 18.106
27 RCW to read as follows:

28 PLUMBERS. The department shall immediately suspend any certificate
29 of competency issued under this chapter if the holder of the
30 certificate has been certified pursuant to section 2 of this act by the
31 department of social and health services as a person who is not in
32 compliance with a child support order. If the person has continued to
33 meet all other requirements for certification during the suspension,
34 reissuance of the certificate of competency shall be automatic upon the
35 department's receipt of a written release issued by the department of
36 social and health services stating that the person is in compliance
37 with the child support order.

1 NEW SECTION. **Sec. 28.** A new section is added to chapter 18.130
2 RCW to read as follows:

3 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
4 authority shall immediately suspend the license of any person subject
5 to this chapter who has been certified by the department of social and
6 health services as a person who is not in compliance with a child
7 support order as provided in section 2 of this act.

8 **Sec. 29.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
9 read as follows:

10 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
11 authority has the following authority:

12 (1) To adopt, amend, and rescind such rules as are deemed necessary
13 to carry out this chapter;

14 (2) To investigate all complaints or reports of unprofessional
15 conduct as defined in this chapter and to hold hearings as provided in
16 this chapter;

17 (3) To issue subpoenas and administer oaths in connection with any
18 investigation, hearing, or proceeding held under this chapter;

19 (4) To take or cause depositions to be taken and use other
20 discovery procedures as needed in any investigation, hearing, or
21 proceeding held under this chapter;

22 (5) To compel attendance of witnesses at hearings;

23 (6) In the course of investigating a complaint or report of
24 unprofessional conduct, to conduct practice reviews;

25 (7) To take emergency action ordering summary suspension of a
26 license, or restriction or limitation of the licensee's practice
27 pending proceedings by the disciplining authority;

28 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
29 or the office of administrative hearings as authorized in chapter 34.12
30 RCW to conduct hearings. The disciplining authority shall make the
31 final decision regarding disposition of the license unless the
32 disciplining authority elects to delegate in writing the final decision
33 to the presiding officer;

34 (9) To use individual members of the boards to direct
35 investigations. However, the member of the board shall not
36 subsequently participate in the hearing of the case;

37 (10) To enter into contracts for professional services determined
38 to be necessary for adequate enforcement of this chapter;

1 (11) To contract with licensees or other persons or organizations
2 to provide services necessary for the monitoring and supervision of
3 licensees who are placed on probation, whose professional activities
4 are restricted, or who are for any authorized purpose subject to
5 monitoring by the disciplining authority;

6 (12) To adopt standards of professional conduct or practice;

7 (13) To grant or deny license applications, and in the event of a
8 finding of unprofessional conduct by an applicant or license holder, to
9 impose any sanction against a license applicant or license holder
10 provided by this chapter;

11 (14) To designate individuals authorized to sign subpoenas and
12 statements of charges;

13 (15) To establish panels consisting of three or more members of the
14 board to perform any duty or authority within the board's jurisdiction
15 under this chapter;

16 (16) To review and audit the records of licensed health facilities'
17 or services' quality assurance committee decisions in which a
18 licensee's practice privilege or employment is terminated or
19 restricted. Each health facility or service shall produce and make
20 accessible to the disciplining authority the appropriate records and
21 otherwise facilitate the review and audit. Information so gained shall
22 not be subject to discovery or introduction into evidence in any civil
23 action pursuant to RCW 70.41.200(3);

24 (17) To immediately suspend licenses of persons who have been
25 certified by the department of social and health services as not in
26 compliance with a child support order as provided in section 2 of this
27 act.

28 **Sec. 30.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
29 read as follows:

30 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. A person whose
31 license has been suspended or revoked under this chapter may petition
32 the disciplining authority for reinstatement after an interval as
33 determined by the disciplining authority in the order. The
34 disciplining authority shall hold hearings on the petition and may deny
35 the petition or may order reinstatement and impose terms and conditions
36 as provided in RCW 18.130.160 and issue an order of reinstatement. The
37 disciplining authority may require successful completion of an
38 examination as a condition of reinstatement.

1 A person whose license has been suspended for noncompliance with a
2 child support order under section 2 of this act may petition for
3 reinstatement at any time by providing the disciplining authority a
4 written release issued by the department of social and health services
5 stating that the person is in compliance with the child support order.
6 If the person has continued to meet all other requirements for
7 reinstatement during the suspension, the disciplining authority shall
8 automatically reissue the person's license upon receipt of the release,
9 and payment of a reinstatement fee, if any.

10 NEW SECTION. Sec. 31. A new section is added to chapter 18.140
11 RCW to read as follows:

12 CERTIFIED REAL ESTATE APPRAISERS. The department shall immediately
13 suspend any license or certificate issued under this chapter if the
14 holder has been certified pursuant to section 2 of this act by the
15 department of social and health services as a person who is not in
16 compliance with a child support order. If the person has continued to
17 meet all other requirements for reinstatement during the suspension,
18 reissuance of the license or certificate shall be automatic upon the
19 department's receipt of a written release issued by the department of
20 social and health services stating that the person is in compliance
21 with the child support order.

22 NEW SECTION. Sec. 32. A new section is added to chapter 18.145
23 RCW to read as follows:

24 SHORTHAND REPORTERS. The director shall immediately suspend any
25 certificate issued under this chapter if the holder has been certified
26 pursuant to section 2 of this act by the department of social and
27 health services as a person who is not in compliance with a child
28 support order. If the person has continued to meet all other
29 requirements for certification during the suspension, reissuance of the
30 certificate shall be automatic upon the director's receipt of a written
31 release issued by the department of social and health services stating
32 that the person is in compliance with the child support order.

33 **Sec. 33.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
34 read as follows:

35 FIRE SPRINKLER SYSTEM CONTRACTORS. (1) The state director of fire
36 protection may refuse to issue or renew or may suspend or revoke the

1 privilege of a licensed fire protection sprinkler system contractor or
2 the certificate of a certificate of competency holder to engage in the
3 fire protection sprinkler system business or in lieu thereof, establish
4 penalties as prescribed by Washington state law, for any of the
5 following reasons:

6 (a) Gross incompetency or gross negligence in the preparation of
7 technical drawings, installation, repair, alteration, maintenance,
8 inspection, service, or addition to fire protection sprinkler systems;

9 (b) Conviction of a felony;

10 (c) Fraudulent or dishonest practices while engaging in the fire
11 protection sprinkler systems business;

12 (d) Use of false evidence or misrepresentation in an application
13 for a license or certificate of competency;

14 (e) Permitting his or her license to be used in connection with the
15 preparation of any technical drawings which have not been prepared by
16 him or her personally or under his or her immediate supervision, or in
17 violation of this chapter; or

18 (f) Knowingly violating any provisions of this chapter or the
19 regulations issued thereunder.

20 (2) The state director of fire protection shall revoke the license
21 of a licensed fire protection sprinkler system contractor or the
22 certificate of a certificate of competency holder who engages in the
23 fire protection sprinkler system business while the license or
24 certificate of competency is suspended.

25 (3) The state director of fire protection shall immediately suspend
26 any license or certificate issued under this chapter if the holder has
27 been certified pursuant to section 2 of this act by the department of
28 social and health services as a person who is not in compliance with a
29 child support order. If the person has continued to meet all other
30 requirements for reinstatement during the suspension, reissuance of the
31 license or certificate shall be automatic upon the director's receipt
32 of a written release issued by the department of social and health
33 services stating that the person is in compliance with the child
34 support order.

35 (4) Any licensee or certificate of competency holder who is
36 aggrieved by an order of the state director of fire protection
37 suspending or revoking a license may, within thirty days after notice
38 of such suspension or revocation, appeal under chapter 34.05 RCW.

1 NEW SECTION. **Sec. 34.** A new section is added to chapter 18.165
2 RCW to read as follows:

3 PRIVATE DETECTIVES. The department shall immediately suspend a
4 license issued under this chapter if the holder has been certified
5 pursuant to section 2 of this act by the department of social and
6 health services as a person who is not in compliance with a child
7 support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license shall be automatic upon the department's receipt of a written
10 release issued by the department of social and health services stating
11 that the person is in compliance with the child support order.

12 NEW SECTION. **Sec. 35.** A new section is added to chapter 18.170
13 RCW to read as follows:

14 SECURITY GUARDS. The director shall immediately suspend any
15 license issued under this chapter if the holder has been certified
16 pursuant to section 2 of this act by the department of social and
17 health services as a person who is not in compliance with a child
18 support order. If the person has continued to meet all other
19 requirements for reinstatement during the suspension, reissuance of the
20 license shall be automatic upon the director's receipt of a written
21 release issued by the department of social and health services stating
22 that the person is in compliance with the child support order.

23 NEW SECTION. **Sec. 36.** A new section is added to chapter 18.175
24 RCW to read as follows:

25 ATHLETE AGENTS. The director shall immediately suspend a
26 certificate of registration issued under this chapter if the holder has
27 been certified pursuant to section 2 of this act by the department of
28 social and health services as a person who is not in compliance with a
29 child support order. If the person has continued to meet all other
30 requirements for certification during the suspension, reissuance of the
31 certificate shall be automatic upon the director's receipt of a written
32 release issued by the department of social and health services stating
33 that the person is in compliance with the child support order.

34 NEW SECTION. **Sec. 37.** A new section is added to chapter 18.185
35 RCW to read as follows:

1 BAIL BOND AGENTS. The director shall immediately suspend any
2 license issued under this chapter if the holder has been certified
3 pursuant to section 2 of this act by the department of social and
4 health services as a person who is not in compliance with a child
5 support order. If the person has continued to meet all other
6 requirements for reinstatement during the suspension, reissuance of the
7 license shall be automatic upon the director's receipt of a written
8 release issued by the department of social and health services stating
9 that the person is in compliance with the child support order.

10 **Sec. 38.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
11 read as follows:

12 This section governs the denial of an application for a license or
13 the suspension, revocation, or modification of a license by the
14 department.

15 (1) The department shall give written notice of the denial of an
16 application for a license to the applicant or his or her agent. The
17 department shall give written notice of revocation, suspension, or
18 modification of a license to the licensee or his or her agent. The
19 notice shall state the reasons for the action. The notice shall be
20 personally served in the manner of service of a summons in a civil
21 action or shall be given in (~~an other~~) another manner that shows
22 proof of receipt.

23 (2) Except as otherwise provided in this subsection and in
24 subsection (4) of this section, revocation, suspension, or modification
25 is effective twenty-eight days after the licensee or the agent receives
26 the notice.

27 (a) The department may make the date the action is effective later
28 than twenty-eight days after receipt. If the department does so, it
29 shall state the effective date in the written notice given the licensee
30 or agent.

31 (b) The department may make the date the action is effective sooner
32 than twenty-eight days after receipt when necessary to protect the
33 public health, safety, or welfare. When the department does so, it
34 shall state the effective date and the reasons supporting the effective
35 date in the written notice given to the licensee or agent.

36 (c) When the department has received certification pursuant to
37 chapter 74.20A RCW from the division of child support that the licensee
38 is a person who is not in compliance with a child support order, the

1 department shall provide that the suspension is effective immediately
2 upon receipt of the suspension notice by the licensee.

3 (3) Except for licensees suspended for noncompliance with a child
4 support order under chapter 74.20A RCW, a license applicant or licensee
5 who is aggrieved by a department denial, revocation, suspension, or
6 modification has the right to an adjudicative proceeding. The
7 proceeding is governed by the Administrative Procedure Act, chapter
8 34.05 RCW. The application must be in writing, state the basis for
9 contesting the adverse action, include a copy of the adverse notice, be
10 served on and received by the department within twenty-eight days of
11 the license applicant's or licensee's receiving the adverse notice, and
12 be served in a manner that shows proof of receipt.

13 (4)(a) If the department gives a licensee twenty-eight or more days
14 notice of revocation, suspension, or modification and the licensee
15 files an appeal before its effective date, the department shall not
16 implement the adverse action until the final order has been entered.
17 The presiding or reviewing officer may permit the department to
18 implement part or all of the adverse action while the proceedings are
19 pending if the appellant causes an unreasonable delay in the
20 proceeding, if the circumstances change so that implementation is in
21 the public interest, or for other good cause.

22 (b) If the department gives a licensee less than twenty-eight days
23 notice of revocation, suspension, or modification and the licensee
24 timely files a sufficient appeal, the department may implement the
25 adverse action on the effective date stated in the notice. The
26 presiding or reviewing officer may order the department to stay
27 implementation of part or all of the adverse action while the
28 proceedings are pending if staying implementation is in the public
29 interest or for other good cause.

30 NEW SECTION. Sec. 39. A new section is added to chapter 74.20A
31 RCW to read as follows:

32 In order to be eligible for aid to families with dependent
33 children, applicants must, at the time of application for assistance,
34 provide the names of both parents of their child or children, whether
35 born or unborn, unless the applicant meets federal criteria for
36 refusing such identification.

1 NEW SECTION. **Sec. 40.** A new section is added to chapter 26.18 RCW
2 to read as follows:

3 (1) If an obligor fails to comply with an order of support, the
4 court shall order the obligor to:

5 (a) Arrange a payment schedule and maintain support payments;

6 (b) Participate in community service work at a minimum of one
7 hundred hours per month; or

8 (c) Imprisonment for the crime of family nonsupport under RCW
9 26.20.035.

10 (2) Persons ordered to comply with subsection (1) (b) or (c) of
11 this section shall have their names and the fact of their failure to
12 comply with an order of support published in a newspaper of general
13 circulation in the county in which the court order is obtained under
14 this section.

15 NEW SECTION. **Sec. 41.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

19 NEW SECTION. **Sec. 42.** Section captions as used in this act do not
20 constitute any part of the law.

--- END ---