

HOUSE BILL REPORT

HB 2732

As Reported By House Committee On:

Law & Justice

Title: An act relating to wage assignment orders for child support or spousal maintenance payments.

Brief Description: Regarding wage assignment orders for child support or spousal maintenance payments.

Sponsors: Representatives Robertson, Ogden, L. Thomas, McCune, Constantine, Wood, Zellinsky, Ballasiotes, Delvin and Hickel.

Brief History:

Committee Activity:

Law & Justice: 1/28/98, 2/5/98 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Mulliken; Robertson and Sherstad.

Staff: Trudes Hutcheson (786-7384).

Background: There are a number of mechanisms available for the enforcement of child support orders. Both private parties and the state may seek to enforce support orders. A private party may commence a proceeding to enforce a support order by filing a petition for an original action or by motion in an existing action. A private party may seek a mandatory wage assignment if the support order allows immediate income withholding or if the obligor is more than 15 days past due in child support in an amount equal to or greater than the obligation payable for one month. The court forwards a copy of the mandatory wage assignment order and support order to the Washington State Support Registry.

An employer served with a mandatory wage assignment order must answer the order within 20 days after service. The employer is required to provide various information in the answer. If the employer possesses any earnings due to the obligor, the earnings subject to the mandatory wage assignment order must be withheld immediately upon

receipt of the wage assignment order. Under current statute, the employer must deliver the withheld earnings to the Washington State Support Registry "at each regular pay interval."

Summary of Bill: An employer served with a mandatory wage assignment order must deliver withheld earnings to the Washington State Support Registry within five working days of each regular pay interval.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Custodial parents rely on the support payments, and receiving the money quickly is critical.

Testimony Against: None.

Testified: Cheryl Coy, citizen (pro, with suggested amendment).