
**Juvenile Justice & Family Law
Committee**

HB 2291

Brief Description: Establishing an official date of receipt of child support payments.

Sponsors: Representatives Buck, Benson, Sump, Carrell, Talcott, Anderson, Schmidt and Dunn.

Brief Summary of Bill

- Changes when the child support enforcement agency calculates the "date of receipt" of child support payments.

Hearing Date: 1/23/02

Staff: Trudes Hutcheson (786-7384).

Background:

The Division of Child Support (DCS) is responsible for collecting and distributing child support across the state. DCS is also the state's designated IV-D agency, which means it provides child support services in compliance with federal laws and receives federal funds to assist in those services.

In cases where the child or parent is receiving public assistance, DCS will automatically provide services. However, DCS also provides services to any individual who requests, whether or not the person or child is on public assistance.

DCS processes payments and keeps records through a central registry called the Washington State Support Register (WSSR). Most child support orders in the state direct payments through the WSSR.

DCS offers various options for paying child support obligations, such as electronic funds transfers and on-line paying. However, many child support obligations are paid, in part, using wage withholding. Based on a federal requirement, most support orders must contain immediate wage withholding language. This allows DCS to initiate wage withholding as soon as it receives an order. If the support order requires a delinquency before wage

withholding, DCS must initiate wage withholding no later than 15 days from the date a support payment was due.

DCS uses the date the support payment is received from the parent to determine how to distribute the money. DCS is required to distribute the money within a certain number of days from the date DCS receives it. For example, in cases where neither parent or child is receiving public assistance, DCS generally first uses the money to satisfy any current support obligation for the month DCS received the money.

Under the Uniform Interstate Family Support Act (UIFSA), DCS may enforce child support orders it receives from other states.

Summary of Bill:

A payment made under a support order that has been properly addressed and deposited postpaid in the United States mail is deemed to have been received by DCS or other court or agency on the date of the mailing. This new section is codified in UIFSA.

A person is guilty of a misdemeanor if the person causes the postal cancellation mark to reflect a different date than the actual mailing date.

Appropriation: None.

Fiscal Note: Not Requested.

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