

SENATE BILL REPORT

ESB 5344

As Passed Senate, March 10, 1995

Title: An act relating to enhancing the child support enforcement program.

Brief Description: Changing provisions relating to child support enforcement.

Sponsors: Senators Wojahn, Smith, Haugen and Kohl.

Brief History:

Committee Activity: Law & Justice: 1/31/95, 2/6/95 [DPA].

Passed Senate, 3/10/95, 46-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Johnson, Long, McCaslin, Roach and Schow.

Staff: Susan Carlson (786-7418)

Background: A motion for modification of a child support order may be brought if the order is 25 percent or more below the appropriate child support amount established by the child support schedule. It has been suggested that this threshold for bringing a modification motion should be lowered.

The Department of Social and Health Services currently has a program to provide parents an opportunity to acknowledge parentage at the time of birth of a child. This program is not specifically provided for by statute.

Before paying lottery prizes over \$600, the lottery must deduct verified debts owed to the state or a political subdivision, and debts that the state is authorized to collect. Although the lottery is currently following this procedure with respect to child support debts that the state is authorized to collect, it has been suggested that the statute should be amended to specifically include child support debts.

Summary of Bill: A party, or the Department of Social and Health Services if public assistance is involved, may bring a motion for modification of a child support order if the order varies 20 percent or more from the amount that would be required by the child support schedule. This does not apply if the order includes an amount that was a deviation from the schedule, and the order provides reasons for the deviation.

The Department of Social and Health Services is required to furnish information to hospitals regarding paternity establishment. Hospitals are required to make this information available to mothers and putative fathers. Hospitals must also provide an opportunity for the parents to complete an acknowledgment of parentage.

The Office of Support Enforcement is required to establish a pilot project to refer to collection agencies those accounts it has been unsuccessful in collecting after 12 months. The collection fee may not exceed 20 percent and must be added to the child support debt. The pilot project is to begin July 1, 1995, and end July 1, 1997. The department must report to the Legislature its analysis of the effectiveness of the pilot project by December 1, 1998. The Governor and DSHS must seek any federal waivers necessary to implement this project, and if waivers cannot be obtained by January 1, 1998, the requirement to implement the project expires.

Past-due child support debts are specifically included as debts that can be set off against lottery prizes that exceed \$600.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The bill makes improvements to the child support laws by amending the threshold for bringing support modifications, and by putting the paternity acknowledgement program and a specific requirement for deductions of child support from lottery prizes in statute.

Testimony Against: The paternity acknowledgement program should provide information on custody and paternity establishment to fathers also, not just to mothers.

Testified: PRO: Senator Wojahn, prime sponsor; Howard Langeveld (if amended); CON: Bob Hoyden, Michelle Delo, WA Families for Noncustodial Rights; Roger Wilson, Lottery (neutral).