
HOUSE BILL 2855

State of Washington**54th Legislature****1996 Regular Session**

By Representatives Cooke, McMorris, Lisk, Pelesky, Mastin, Talcott, Clements, Carlson, Chandler, Radcliff, Sterk, Crouse, Patterson, McMahan, Brown, Reams, Hankins, Boldt, Delvin, Skinner, Tokuda, Chopp, Costa, H. Sommers, Valle, Veloria, Silver, Poulsen, L. Thomas, Kessler, Conway and Mulliken

Read first time 01/23/96. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to support enforcement; amending RCW 74.20A.020,
2 18.04.105, 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100,
3 18.27.030, 18.27.060, 18.28.060, 18.39.181, 18.46.050, 18.51.054,
4 18.96.120, 18.96.150, 18.104.110, 18.106.070, 18.130.050, 18.130.120,
5 18.130.150, 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115,
6 and 26.23.050; reenacting and amending RCW 18.145.080; adding new
7 sections to chapter 74.20A RCW; adding a new section to chapter 18.04
8 RCW; adding a new section to chapter 18.08 RCW; adding a new section to
9 chapter 18.16 RCW; adding a new section to chapter 18.20 RCW; adding a
10 new section to chapter 18.28 RCW; adding a new section to chapter 18.39
11 RCW; adding a new section to chapter 18.43 RCW; adding a new section to
12 chapter 18.44 RCW; adding a new section to chapter 18.51 RCW; adding a
13 new section to chapter 18.76 RCW; adding a new section to chapter 18.85
14 RCW; adding a new section to chapter 18.96 RCW; adding a new section to
15 chapter 18.104 RCW; adding a new section to chapter 18.106 RCW; adding
16 a new section to chapter 18.130 RCW; adding a new section to chapter
17 18.140 RCW; adding a new section to chapter 18.145 RCW; adding a new
18 section to chapter 18.165 RCW; adding a new section to chapter 18.170
19 RCW; adding a new section to chapter 18.175 RCW; adding a new section
20 to chapter 18.185 RCW; adding a new section to chapter 28A.410 RCW;
21 adding a new section to chapter 26.18 RCW; adding a new section to

1 chapter 26.09 RCW; adding a new section to chapter 26.26 RCW; creating
2 new sections; prescribing penalties; and providing effective dates.

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

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

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

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

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

30 (1) "Department" means the state department of social and health
31 services.

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

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

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

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

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

7 (5) "Superior court order" means any judgment, decree, or order of
8 the superior court of the state of Washington, or a court of comparable
9 jurisdiction of another state, establishing the existence of a support
10 obligation and ordering payment of a set or determinable amount of
11 support moneys to satisfy the support obligation. For purposes of RCW
12 74.20A.055, orders for support which were entered under the uniform
13 reciprocal enforcement of support act by a state where the responsible
14 parent no longer resides shall not preclude the department from
15 establishing an amount to be paid as current and future support.

16 (6) "Administrative order" means any determination, finding,
17 decree, or order for support pursuant to RCW 74.20A.055, or by an
18 agency of another state pursuant to a substantially similar
19 administrative process, establishing the existence of a support
20 obligation and ordering the payment of a set or determinable amount of
21 support moneys to satisfy the support obligation.

22 (7) "Responsible parent" means a natural parent, adoptive parent,
23 or stepparent of a dependent child or a person who has signed an
24 affidavit acknowledging paternity which has been filed with the state
25 office of vital statistics.

26 (8) "Stepparent" means the present spouse of the person who is
27 either the mother, father, or adoptive parent of a dependent child, and
28 such status shall exist until terminated as provided for in RCW
29 26.16.205.

30 (9) "Support moneys" means any moneys or in-kind providings paid to
31 satisfy a support obligation whether denominated as child support,
32 spouse support, alimony, maintenance, or any other such moneys intended
33 to satisfy an obligation for support of any person or satisfaction in
34 whole or in part of arrears or delinquency on such an obligation.

35 (10) "Support debt" means any delinquent amount of support moneys
36 which is due, owing, and unpaid under a superior court order or an
37 administrative order, a debt for the payment of expenses for the
38 reasonable or necessary care, support, and maintenance, including
39 medical expenses, of a dependent child or other person for whom a

1 support obligation is owed; or a debt under RCW 74.20A.100 or
2 74.20A.270. Support debt also includes any accrued interest, fees, or
3 penalties charged on a support debt, and attorneys fees and other costs
4 of litigation awarded in an action to establish and enforce a support
5 obligation or debt.

6 (11) "State" means any state or political subdivision, territory,
7 or possession of the United States, the District of Columbia, and the
8 Commonwealth of Puerto Rico.

9 (12) "Licensing entity" means any department, board, bureau,
10 commission, committee, regulatory entity or agency, or other licensor
11 authorized to issue, renew, suspend, or revoke a license authorizing an
12 individual to engage in a business, occupation, profession, industry,
13 or licensed recreational activity.

14 (13) "Noncompliance with a support order" means a responsible
15 parent has:

16 (a) Accumulated a support debt totaling more than six months of
17 monthly support payments; or

18 (b) Failed to make payments pursuant to a written agreement with
19 the department towards a support debt in an amount that exceeds six
20 months of payments; or

21 (c) Failed to make payments required by a superior court order if
22 required by a support order or administrative order towards a support
23 debt in an amount that exceeds six months of payments; or

24 (d) Failed to obtain or maintain health insurance as defined in RCW
25 26.18.020.

26 (14) "License" means a license, certificate, registration, permit,
27 approval, or other similar document issued by a licensing entity
28 evidencing admission to or granting authority to engage in a
29 profession, occupation, business, industry, or recreational activity.

30 (15) "Licensee" means any individual holding a license,
31 certificate, registration, permit, approval, or other similar document
32 issued by a licensing entity evidencing admission to or granting
33 authority to engage in a profession, occupation, business, industry, or
34 recreational activity.

35 (16) "Support order" means a superior court order or administrative
36 order.

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

1 (1) Except as provided in subsection (2) of this section, the
2 department may serve upon a responsible parent a notice informing the
3 responsible parent of the department's intent to submit the parent's
4 name to any appropriate licensing entity as a licensee who is not in
5 compliance with a support order. The department must attach a copy of
6 the responsible parent's support order to the notice. Service of the
7 notice must be made by certified mail, return receipt requested, or by
8 personal service.

9 (2) The department shall not issue a notice of noncompliance with
10 a support order under this section when the department can withhold the
11 responsible parent's earnings under RCW 26.23.060 in an amount
12 sufficient to ensure the payment of current support and a reasonable
13 amount towards the support debt.

14 (3) The notice of noncompliance must include the address and
15 telephone number of the department's division of child support office
16 that issues the notice and must inform the responsible parent that:

17 (a) The parent may request an adjudicative proceeding to contest
18 the issue of noncompliance. The only issues that may be considered at
19 the adjudicative proceeding are whether the parent is required to pay
20 a support obligation under a support order and whether the parent is in
21 compliance with that order;

22 (b) A request for an adjudicative proceeding must be in writing and
23 must be received by the department within twenty days of the date of
24 service of the notice;

25 (c) If the parent requests an adjudicative proceeding within twenty
26 days of service, the department must stay the action to certify the
27 parent to all appropriate licensing entities for noncompliance with a
28 support order pending entry of a written decision after the
29 adjudicative proceeding;

30 (d) If the parent does not request an adjudicative proceeding
31 within twenty days of service and remains in noncompliance with a
32 support order, the department will certify the parent's name to any
33 appropriate licensing entity for noncompliance with a support order;

34 (e) The department must stay action to certify the parent to any
35 appropriate licensing entity for noncompliance if the parent agrees to
36 make timely payments of current support and agrees to a reasonable
37 payment schedule for payment of the support debt. It is the parent's
38 responsibility to contact in person or by mail the department's
39 division of child support office indicated on the notice within twenty

1 days of service of the notice to arrange for a payment schedule. The
2 department may stay certification for up to thirty days after contact
3 from a parent to arrange for a payment schedule;

4 (f) If the department certifies the responsible parent to a
5 licensing entity for noncompliance with a support order, the licensing
6 entity must suspend the parent's license until the parent provides the
7 licensing entity with a written release from the department stating
8 that the responsible parent is in compliance with the support order;

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

12 (h) If after receiving the notice of noncompliance with a support
13 order, the responsible parent files a motion to modify support with the
14 court or requests the department to amend a support obligation or debt
15 established by an administrative decision, the department or the court
16 may, for up to one hundred eighty days, stay action to certify the
17 parent to any licensing entity for noncompliance with a support order.
18 If a motion for modification of a court or administrative order for a
19 support obligation is pending before service of the notice, any action
20 to certify the parent to a licensing entity for noncompliance with a
21 support order must be automatically stayed until entry of a final order
22 or decision in the modification proceedings. The responsible parent
23 has the obligation to notify the department that a modification
24 proceeding is pending and provide a copy of the motion or request for
25 modification; and

26 (i) If the responsible parent subsequently becomes in compliance
27 with the support order, the department must promptly provide the parent
28 with a written release stating that the parent is in compliance with
29 the order, and the parent may request that the licensing entity
30 reinstate the suspended license.

31 (4) A responsible parent may request an adjudicative proceeding
32 upon service of the notice described in subsection (3) of this section.
33 The request for an adjudicative proceeding must be received by the
34 department within twenty days of service. The request must be in
35 writing and indicate the current mailing address and daytime phone
36 number, if available, of the responsible parent. The proceedings under
37 this subsection shall be conducted in accordance with the requirements
38 of chapter 34.05 RCW. The issues that may be considered at the
39 adjudicative proceeding are limited to whether the responsible parent

1 is required to pay a support obligation or debt under a support order
2 and whether the responsible parent is in compliance with the order.

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

7 (6) If a responsible parent contacts the department's division of
8 child support office indicated on the notice of noncompliance within
9 twenty days of service of the notice and requests arrangement of a
10 payment schedule, the department must stay the certification of
11 noncompliance during negotiation of the schedule for payment of
12 arrears. In no event may the stay continue for more than thirty days
13 from the date of contact by the parent. The department must make good
14 faith efforts to establish a schedule for payment of the support debt
15 that is fair and reasonable, and that considers the financial situation
16 of the responsible parent and the needs of all children who rely on the
17 responsible parent for support. At the end of the thirty days, if no
18 payment schedule has been agreed to in writing, the department must
19 proceed with certification of noncompliance.

20 (7) If a responsible parent timely requests an adjudicative
21 proceeding to contest the issue of noncompliance, the department may
22 not certify the name of the parent to a licensing entity for
23 noncompliance with a support order unless the adjudicative proceeding
24 results in a finding that the responsible parent is not in compliance
25 with the order.

26 (8) The department may certify in writing to any appropriate
27 licensing entity the name of a responsible parent who is not in
28 compliance with a support order if:

29 (a) The responsible parent does not timely request an adjudicative
30 proceeding upon service of a notice issued under subsection (3) of this
31 section and is not in compliance with a support order twenty-one days
32 after service of the notice;

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

35 (c) The department and the responsible parent have been unable to
36 agree on a fair and reasonable schedule for payment of the support
37 debt; or

1 (d) The court enters a judgment on a petition for judicial review
2 that finds the responsible parent is not in compliance with a support
3 order.

4 The department must send by regular mail a copy of any
5 certification of noncompliance filed with a licensing entity to the
6 responsible parent at the responsible parent's most recent address of
7 record.

8 (9) A licensing entity shall notify a responsible parent certified
9 by the department under subsection (8) of this section, without undue
10 delay, that the parent's driver's license or other license has been
11 suspended because the parent's name has been certified by the
12 department as a responsible parent who is not in compliance with a
13 support order.

14 (10) When a responsible parent who is served notice under
15 subsection (3) of this section subsequently complies with the support
16 order, the department shall promptly provide the parent with a written
17 release stating that the responsible parent is in compliance with the
18 order.

19 (11) The department may adopt rules to implement and enforce the
20 requirements of this section.

21 (12) Nothing in this section prohibits a responsible parent from
22 filing a motion to modify support with the court or from requesting the
23 department to amend a support obligation or debt established by an
24 administrative decision. If there is a reasonable likelihood that the
25 motion or request will significantly change the amount of the support
26 debt, the department or the court may, for up to one hundred eighty
27 days, stay action to certify the responsible parent to any licensing
28 entity for noncompliance with a support order. If a motion for
29 modification of a court or administrative order for a support
30 obligation is pending before service of the notice, any action to
31 certify the parent to a licensing entity for noncompliance with a
32 support order must be automatically stayed until entry of a final order
33 or decision in the modification proceedings. The responsible parent
34 has the obligation to notify the department that a modification
35 proceeding is pending and provide a copy of the motion or request for
36 modification.

37 (13) A licensing entity may issue, renew, reinstate, or otherwise
38 extend a license in accordance with the licensing entity's rules after
39 the licensing entity receives a copy of the written release specified

1 in subsection (10) of this section. The licensing entity may waive any
2 applicable requirement for reissuance, renewal, or other extension if
3 it determines that the imposition of that requirement places an undue
4 burden on the person and that waiver of the requirement is consistent
5 with the public interest.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.20A RCW
7 to read as follows:

8 (1) The department of social and health services and all of the
9 various licensing entities subject to section 3 of this act shall enter
10 into such agreements as are necessary to carry out the requirements of
11 the license suspension program established in section 3 of this act,
12 but only to the extent the departments and the licensing entities
13 determine it is cost-effective or required by federal law.

14 (2) On or before January 1, 1997, and quarterly thereafter, the
15 department of social and health services and all licensing entities
16 subject to section 3 of this act shall perform a comparison of
17 responsible parents who are not in compliance with a support order, as
18 defined in section 3 of this act, with all licensees subject to chapter
19 . . . , Laws of 1996 (this act). The comparison may be conducted
20 electronically, or by any other means that is jointly agreeable between
21 the department and the particular licensing entity. The data shared
22 shall be limited to those items necessary to implementation of chapter
23 . . . , Laws of 1996 (this act). The purpose of the comparison shall be
24 to identify current licensees who are not in compliance with a support
25 order, and to provide to the department of social and health services
26 the following information regarding those licensees:

- 27 (a) Name;
- 28 (b) Date of birth;
- 29 (c) Address of record;
- 30 (d) Federal employer identification number or social security
31 number;
- 32 (e) Type of license;
- 33 (f) Effective date of license or renewal;
- 34 (g) Expiration date of license; and
- 35 (h) Active or inactive status.

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

1 In furtherance of the public policy of increasing collection of
2 child support and to assist in evaluation of the program established in
3 section 3 of this act, the department shall report the following to the
4 legislature and the governor on December 1, 1997, and annually
5 thereafter:

6 (1) The number of responsible parents identified as licensees
7 subject to section 3 of this act;

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

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

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

14 (5) The number of adjudicative proceedings held, and the results of
15 the adjudicative proceedings;

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

19 (7) The costs incurred in the implementation and enforcement of
20 section 3 of this act and an estimate of the amount of support
21 collected due to the departments under section 3 of this act;

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

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

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

29 **Sec. 6.** RCW 18.04.105 and 1992 c 103 s 7 are each amended to read
30 as follows:

31 (1) Except as provided in section 7 of this act, the certificate of
32 "certified public accountant" shall be granted by the board to any
33 person:

34 (a) Who is of good character. Good character, for purposes of this
35 section, means lack of a history of dishonest or felonious acts. The
36 board may refuse to grant a certificate on the ground of failure to
37 satisfy this requirement only if there is a substantial connection
38 between the lack of good character of the applicant and the

1 professional responsibilities of a certified public accountant and if
2 the finding by the board of lack of good character is supported by a
3 preponderance of evidence. When an applicant is found to be
4 unqualified for a certificate because of a lack of good character, the
5 board shall furnish the applicant a statement containing the findings
6 of the board and a notice of the applicant's right of appeal;

7 (b) Who has met the educational standards established by rule as
8 the board determines to be appropriate;

9 The board may, in its discretion, waive the educational
10 requirements for any person if it is satisfied through review of
11 documentation of successful completion of an equivalency examination
12 that the person's educational qualifications are an acceptable
13 substitute for the requirements of (b) of this subsection; and

14 (c) Who has passed a written examination.

15 (2) The examination described in subsection (1)(c) of this section
16 shall be in writing, shall be held twice a year, and shall test the
17 applicant's knowledge of the subjects of accounting and auditing, and
18 other related fields the board may specify by rule. The time for
19 holding the examination is fixed by the board and may be changed from
20 time to time. The board shall prescribe by rule the methods of
21 applying for and taking the examination, including methods for grading
22 papers and determining a passing grade required of an applicant for a
23 certificate. The board shall to the extent possible see to it that the
24 grading of the examination, and the passing grades, are uniform with
25 those applicable to all other states. The board may make use of all or
26 a part of the uniform certified public accountant examination and
27 advisory grading service of the American Institute of Certified Public
28 Accountants and may contract with third parties to perform
29 administrative services with respect to the examination as the board
30 deems appropriate to assist it in performing its duties under this
31 chapter.

32 (3) An applicant is required to pass all sections of the
33 examination provided for in subsection (2) of this section in order to
34 qualify for a certificate. If at a given sitting of the examination an
35 applicant passes two or more but not all sections, then the applicant
36 shall be given credit for those sections that he or she passed, and
37 need not take those sections again: PROVIDED, That:

38 (a) The applicant took all sections of the examination at that
39 sitting;

1 (b) The applicant attained a minimum grade of fifty on each section
2 not passed at that sitting;

3 (c) The applicant passes the remaining sections of the examination
4 within six consecutive examinations given after the one at which the
5 first sections were passed;

6 (d) At each subsequent sitting at which the applicant seeks to pass
7 additional sections, the applicant takes all sections not yet passed;
8 and

9 (e) In order to receive credit for passing additional sections in
10 a subsequent sitting, the applicant attains a minimum grade of fifty on
11 sections written but not passed on the sitting.

12 (4) The board may waive or defer any of the requirements of
13 subsection (3) of this section for candidates transferring conditional
14 CPA exam credits from other states or for qualifying reciprocity
15 certification applicants who met the conditioning requirements of the
16 state or foreign jurisdiction issuing their original certificate.

17 (5) The board shall charge each applicant an examination fee for
18 the initial examination under subsection (1) of this section, or for
19 reexamination under subsection (3) of this section for each subject in
20 which the applicant is reexamined. The applicable fee shall be paid by
21 the person at the time he or she applies for examination,
22 reexamination, or evaluation of educational qualifications. Fees for
23 examination, reexamination, or evaluation of educational qualifications
24 shall be determined by the board under chapter 18.04 RCW. There is
25 established in the state treasury an account to be known as the
26 certified public accountants' account. All fees received from
27 candidates to take any or all sections of the certified public
28 accountant examination shall be used only for costs related to the
29 examination.

30 (6) Persons who on June 30, 1986, held certified public accountant
31 certificates previously issued under the laws of this state shall not
32 be required to obtain additional certificates under this chapter, but
33 shall otherwise be subject to this chapter. Certificates previously
34 issued shall, for all purposes, be considered certificates issued under
35 this chapter and subject to its provisions.

36 (7) A certificate of a "certified public accountant" under this
37 chapter is issued on a biennial basis with renewal subject to
38 requirements of continuing professional education and payment of fees,
39 prescribed by the board.

1 (8) The board shall adopt rules providing for continuing
2 professional education for certified public accountants. The rules
3 shall:

4 (a) Provide that a certified public accountant shall verify to the
5 board that he or she has completed at least an accumulation of eighty
6 hours of continuing professional education during the last two-year
7 period to maintain the certificate;

8 (b) Establish continuing professional education requirements;

9 (c) Establish when newly certificated public accountants shall
10 verify that they have completed the required continuing professional
11 education; and

12 (d) Provide that failure to furnish verification of the completion
13 of the continuing professional education requirement shall make the
14 certificate invalid and subject to reinstatement, unless the board
15 determines that the failure was due to retirement, reasonable cause, or
16 excusable neglect.

17 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.04 RCW
18 to read as follows:

19 (1) No person who has been certified by the department of social
20 and health services as a person who is not in compliance with a support
21 order as provided in section 3 of this act may be issued a certificate
22 of "certified public accountant." The application of a person so
23 certified by the department of social and health services may be
24 reviewed for issuance of a certificate under this chapter after the
25 person provides the board a written release issued by the department of
26 social and health services stating that the person is in compliance
27 with the order.

28 (2) The board shall immediately suspend the certificate or license
29 of a person who has been certified pursuant to section 3 of this act by
30 the department of social and health services as a person who is not in
31 compliance with a support order.

32 **Sec. 8.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to read
33 as follows:

34 (1) Upon application in writing and after hearing pursuant to
35 notice, the board may:

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

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

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

14 **Sec. 9.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to read
15 as follows:

16 (1) Except as provided in section 11 of this act, a certificate of
17 registration shall be granted by the director to all qualified
18 applicants who are certified by the board as having passed the required
19 examination and as having given satisfactory proof of completion of the
20 required experience.

21 (2) Applications for examination shall be filed as the board
22 prescribes by rule. The application and examination fees shall be
23 determined by the director under RCW 43.24.086.

24 (3) An applicant for registration as an architect shall be of a
25 good moral character, at least eighteen years of age, and shall possess
26 any of the following qualifications:

27 (a) Have an accredited architectural degree and three years'
28 practical architectural work experience approved by the board, which
29 may include designing buildings as a principal activity. At least two
30 years' work experience must be supervised by an architect with detailed
31 professional knowledge of the work of the applicant;

32 (b) Have eight years' practical architectural work experience
33 approved by the board. Each year spent in an accredited architectural
34 program approved by the board shall be considered one year of practical
35 experience. At least four years' practical work experience shall be
36 under the direct supervision of an architect; or

37 (c) Be a person who has been designing buildings as a principal
38 activity for eight years, or has an equivalent combination of education

1 and experience, but who was not registered under chapter 323, Laws of
2 1959, as amended, as it existed before July 28, 1992, provided that
3 application is made within four years after July 28, 1992. Nothing in
4 this chapter prevents such a person from designing buildings for four
5 years after July 28, 1992, or the five-year period allowed for
6 completion of the examination process, after that person has applied
7 for registration. A person who has been designing buildings and is
8 qualified under this subsection shall, upon application to the board of
9 registration for architects, be allowed to take the examination for
10 architect registration on an equal basis with other applicants.

11 **Sec. 10.** RCW 18.08.350 and 1993 c 475 s 2 are each amended to read
12 as follows:

13 (1) Except as provided in section 11 of this act, a certificate of
14 registration shall be granted by the director to all qualified
15 applicants who are certified by the board as having passed the required
16 examination and as having given satisfactory proof of completion of the
17 required experience.

18 (2) Applications for examination shall be filed as the board
19 prescribes by rule. The application and examination fees shall be
20 determined by the director under RCW 43.24.086.

21 (3) An applicant for registration as an architect shall be of a
22 good moral character, at least eighteen years of age, and shall possess
23 any of the following qualifications:

24 (a) Have an accredited architectural degree and three years'
25 practical architectural work experience approved by the board, which
26 may include designing buildings as a principal activity. At least two
27 years' work experience must be supervised by an architect with detailed
28 professional knowledge of the work of the applicant; or

29 (b) Have eight years' practical architectural work experience
30 approved by the board. Each year spent in an accredited architectural
31 program approved by the board shall be considered one year of practical
32 experience. At least four years' practical work experience shall be
33 under the direct supervision of an architect.

34 NEW SECTION. **Sec. 11.** A new section is added to chapter 18.08 RCW
35 to read as follows:

36 (1) No person who has been certified by the department of social
37 and health services as a person who is not in compliance with a support

1 order as provided in section 3 of this act may be issued a certificate
2 of registration under this chapter. The application of a person so
3 certified by the department of social and health services may be
4 reviewed for issuance of a certificate of registration under this
5 chapter after the person provides the board a written release issued by
6 the department of social and health services stating that the person is
7 in compliance with the order.

8 (2) The board shall immediately suspend the certificate of
9 registration or certificate of authorization to practice architecture
10 of a person who has been certified pursuant to section 3 of this act by
11 the department of social and health services as a person who is not in
12 compliance with a support order. If the person has continued to meet
13 other requirements for reinstatement during the suspension, reissuance
14 of the certificate shall be automatic upon the board's receipt of a
15 written release issued by the department of social and health services
16 stating that the individual is in compliance with the support order.

17 **Sec. 12.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
18 read as follows:

19 (1) No license shall be issued by the department to any person who
20 has been convicted of forgery, embezzlement, obtaining money under
21 false pretenses, extortion, criminal conspiracy, fraud, theft,
22 receiving stolen goods, unlawful issuance of checks or drafts, or other
23 similar offense, or to any partnership of which the person is a member,
24 or to any association or corporation of which the person is an officer
25 or in which as a stockholder the person has or exercises a controlling
26 interest either directly or indirectly.

27 (2) No license may be issued by the department to any person who
28 has been certified by the department of social and health services as
29 a person who is not in compliance with a support order as provided in
30 section 3 of this act. The application of a person so certified by the
31 department of social and health services may be reviewed for issuance
32 of a license under this chapter after the person provides the board a
33 written release issued by the department of social and health services
34 stating that the person is in compliance with the order.

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

1 (a) Misrepresentation or concealment of material facts in obtaining
2 a license;

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

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

7 (d) Misleading or false advertising;

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

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

12 (g) Nonpayment of an administrative fine prior to renewal of a
13 license;

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

16 (i) Any other violations of this chapter.

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

26 **Sec. 13.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to read
27 as follows:

28 (1) Upon payment of the proper fee, except as provided in section
29 14 of this act the director shall issue the appropriate license to any
30 person who:

31 (a) Is at least seventeen years of age or older;

32 (b) Has completed and graduated from a course approved by the
33 director of sixteen hundred hours of training in cosmetology, one
34 thousand hours of training in barbering, five hundred hours of training
35 in manicuring, five hundred hours of training in esthetics, and/or five
36 hundred hours of training as an instructor-trainee; and

37 (c) Has received a passing grade on the appropriate licensing
38 examination approved or administered by the director.

1 (2) A person currently licensed under this chapter may qualify for
2 examination and licensure, after the required examination is passed, in
3 another category if he or she has completed the crossover training
4 course approved by the director.

5 (3) Upon payment of the proper fee, the director shall issue a
6 salon/shop license to the operator of a salon/shop if the salon/shop
7 meets the other requirements of this chapter as demonstrated by
8 information submitted by the operator.

9 (4) The director may consult with the state board of health and the
10 department of labor and industries in establishing training and
11 examination requirements.

12 NEW SECTION. **Sec. 14.** A new section is added to chapter 18.16 RCW
13 to read as follows:

14 (1) No person who has been certified by the department of social
15 and health services as a person who is not in compliance with a support
16 order as provided in section 3 of this act may be issued a license
17 under this chapter. The application of a person so certified by the
18 department of social and health services may be reviewed for issuance
19 of a license under this chapter after the person provides the
20 department a written release issued by the department of social and
21 health services stating that the person is in compliance with the
22 order.

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

32 NEW SECTION. **Sec. 15.** A new section is added to chapter 18.20 RCW
33 to read as follows:

34 (1) No person who has been certified by the department of social
35 and health services as a person who is not in compliance with a support
36 order as provided in section 3 of this act may be issued a license
37 under this chapter. The application of a person so certified by the

1 department of social and health services may be reviewed for issuance
2 of a license under this chapter after the person provides the
3 department a written release issued by the department of social and
4 health services stating that the person is in compliance with the
5 order.

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

15 **Sec. 16.** RCW 18.27.030 and 1992 c 217 s 1 are each amended to read
16 as follows:

17 (1) An applicant for registration as a contractor shall submit an
18 application under oath upon a form to be prescribed by the director and
19 which shall include the following information pertaining to the
20 applicant:

21 (a) Employer social security number.

22 (b) As applicable: (i) The industrial insurance account number
23 covering employees domiciled in Washington; and (ii) evidence of
24 workers' compensation coverage in the applicant's state of domicile for
25 the applicant's employees working in Washington who are not domiciled
26 in Washington.

27 (c) Employment security department number.

28 (d) State excise tax registration number.

29 (e) Unified business identifier (UBI) account number may be
30 substituted for the information required by (b), (c), and (d) of this
31 subsection.

32 (f) Type of contracting activity, whether a general or a specialty
33 contractor and if the latter, the type of specialty.

34 (g) The name and address of each partner if the applicant be a firm
35 or partnership, or the name and address of the owner if the applicant
36 be an individual proprietorship, or the name and address of the
37 corporate officers and statutory agent, if any, if the applicant be a

1 corporation. The information contained in such application shall be a
2 matter of public record and open to public inspection.

3 (2) The department may verify the workers' compensation coverage
4 information provided by the applicant under subsection (1)(b) of this
5 section, including but not limited to information regarding the
6 coverage of an individual employee of the applicant. If coverage is
7 provided under the laws of another state, the department may notify the
8 other state that the applicant is employing employees in Washington.

9 (3) Registration shall be denied if the applicant has been
10 previously registered as a sole proprietor, partnership or corporation,
11 and was a principal or officer of the corporation, and if the applicant
12 has an unsatisfied final judgment in an action based on RCW 18.27.040
13 that incurred during a previous registration under this chapter.

14 (4) Registration shall be denied if the applicant has been
15 certified by the department of social and health services as a person
16 who is not in compliance with a support order as provided in section 3
17 of this act. The application of a person so certified by the
18 department of social and health services may be reviewed and the person
19 may be registered under this chapter if the person provides the
20 department a written release issued by the department of social and
21 health services stating that the person is in compliance with the
22 order.

23 **Sec. 17.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
24 amended to read as follows:

25 (1) A certificate of registration shall be valid for one year and
26 shall be renewed on or before the expiration date. The department
27 shall issue to the applicant a certificate of registration upon
28 compliance with the registration requirements of this chapter.

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

32 (a) One year;

33 (b) Until the bond expires; or

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

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

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

7 (5) The department shall immediately suspend the certificate of
8 registration of a contractor who has been certified by the department
9 of social and health services as a person who is not in compliance with
10 a support order as provided in section 3 of this act. The certificate
11 of registration shall not be reissued or renewed unless the person
12 provides to the department a written release from the department of
13 social and health services stating that he or she is in compliance with
14 the support order and the person has continued to meet all other
15 requirements for certification during the suspension.

16 **Sec. 18.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to read
17 as follows:

18 Except as provided in section 19 of this act, the director shall
19 issue a license to an applicant if the following requirements are met:

20 (1) The application is complete and the applicant has complied with
21 RCW 18.28.030.

22 (2) Neither an individual applicant, nor any of the applicant's
23 members if the applicant is a partnership or association, nor any of
24 the applicant's officers or directors if the applicant is a
25 corporation: (a) Has ever been convicted of forgery, embezzlement,
26 obtaining money under false pretenses, larceny, extortion, conspiracy
27 to defraud or any other like offense, or has been disbarred from the
28 practice of law; (b) has participated in a violation of this chapter or
29 of any valid rules, orders or decisions of the director promulgated
30 under this chapter; (c) has had a license to engage in the business of
31 debt adjusting revoked or removed for any reason other than for failure
32 to pay licensing fees in this or any other state; or (d) is an employee
33 or owner of a collection agency, or process serving business.

34 (3) An individual applicant is at least eighteen years of age.

35 (4) An applicant which is a partnership, corporation, or
36 association is authorized to do business in this state.

37 (5) An individual applicant for an original license as a debt
38 adjuster has passed an examination administered by the director, which

1 examination may be oral or written, or partly oral and partly written,
2 and shall be practical in nature and sufficiently thorough to ascertain
3 the applicant's fitness. Questions on bookkeeping, credit adjusting,
4 business ethics, agency, contracts, debtor and creditor relationships,
5 trust funds and the provisions of this chapter shall be included in the
6 examination. No applicant may use any books or other similar aids
7 while taking the examination, and no applicant may take the examination
8 more than three times in any twelve month period.

9 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.28 RCW
10 to read as follows:

11 (1) No person who has been certified by the department of social
12 and health services as a person who is not in compliance with a support
13 order as provided in section 3 of this act may be issued a license
14 under this chapter. The application of a person so certified by the
15 department of social and health services may be reviewed for issuance
16 of a license under this chapter after the person provides the director
17 a written release issued by the department of social and health
18 services stating that the person is in compliance with the order.

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

28 **Sec. 20.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
29 read as follows:

30 The director shall have the following powers and duties:

31 (1) To issue all licenses provided for under this chapter;

32 (2) To annually renew licenses under this chapter;

33 (3) To collect all fees prescribed and required under this chapter;

34 ((and))

35 (4) To deny issuing or immediately suspend the license of a person
36 who has been certified pursuant to section 3 of this act by the

1 department of social and health services as a person who is not in
2 compliance with a support order; and

3 (5) To keep general books of record of all official acts,
4 proceedings, and transactions of the department of licensing while
5 acting under this chapter.

6 NEW SECTION. Sec. 21. A new section is added to chapter 18.39 RCW
7 to read as follows:

8 (1) In the case of a person who has been denied the issuance of a
9 license under this chapter because the person was certified by the
10 department of social and health services as a person who is not in
11 compliance with section 3 of this act, the application of that person
12 may be reviewed by the director for issuance of a license after the
13 person provides the director a written release issued by the department
14 of social and health services stating that the person is in compliance
15 with the order.

16 (2) In the case of suspension for failure to comply with a support
17 order under chapter 74.20A RCW, if the person has continued to meet all
18 other requirements for reinstatement during the suspension, reissuance
19 of a license shall be automatic upon the director's receipt of a
20 written release issued by the department of social and health services
21 stating that the individual is in compliance with the support order.

22 NEW SECTION. Sec. 22. A new section is added to chapter 18.43 RCW
23 to read as follows:

24 (1) No person who has been certified by the department of social
25 and health services as a person who is not in compliance with a support
26 order as provided in section 3 of this act may be issued a certificate
27 of registration under this chapter. The application of a person so
28 certified by the department of social and health services may be
29 reviewed for issuance of a certificate of registration under this
30 chapter after the person provides the board a written release issued by
31 the department of social and health services stating that the person is
32 in compliance with the order.

33 (2) The board shall immediately suspend the registration of a
34 person who has been certified pursuant to section 3 of this act by the
35 department of social and health services as a person who is not in
36 compliance with a support order. If the person has continued to meet
37 all other requirements for membership during the suspension, reissuance

1 of the certificate of registration shall be automatic upon the board's
2 receipt of a written release issued by the department of social and
3 health services stating that the person is in compliance with the
4 support order.

5 NEW SECTION. **Sec. 23.** A new section is added to chapter 18.44 RCW
6 to read as follows:

7 (1) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 3 of this act may be issued a certificate
10 of registration under this chapter. The application of a person so
11 certified by the department of social and health services may be
12 reviewed for issuance of a certificate of registration under this
13 chapter after the person provides the department a written release
14 issued by the department of social and health services stating that the
15 person is in compliance with the order.

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

25 **Sec. 24.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read
26 as follows:

27 (1) The department may deny, suspend, or revoke a license in any
28 case in which it finds that there has been failure or refusal to comply
29 with the requirements established under this chapter or the rules
30 adopted under it.

31 (2) The department shall deny a license in any case where the
32 applicant has been certified under section 3 of this act by the
33 department of social and health services as a person who is not in
34 compliance with a support order. The application of a person so
35 certified by the department of social and health services may be
36 reviewed for issuance of a license under this chapter after the person
37 provides the department a written release issued by the department of

1 social and health services stating that the person is in compliance
2 with the order.

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

12 RCW 43.70.115 governs notice of a license denial, revocation,
13 suspension, or modification and provides the right to an adjudicative
14 proceeding.

15 **Sec. 25.** RCW 18.51.054 and 1989 c 372 s 7 are each amended to read
16 as follows:

17 The department may deny a license to any applicant if the
18 department finds that the applicant or any partner, officer, director,
19 managerial employee, or owner of five percent or more of the applicant:

20 (1) Operated a nursing home without a license or under a revoked or
21 suspended license; or

22 (2) Knowingly or with reason to know made a false statement of a
23 material fact (a) in an application for license or any data attached
24 thereto, or (b) in any matter under investigation by the department; or

25 (3) Refused to allow representatives or agents of the department to
26 inspect (a) all books, records, and files required to be maintained or
27 (b) any portion of the premises of the nursing home; or

28 (4) Willfully prevented, interfered with, or attempted to impede in
29 any way (a) the work of any authorized representative of the department
30 or (b) the lawful enforcement of any provision of this chapter or
31 chapter 74.42 RCW; or

32 (5) Has a history of significant noncompliance with federal or
33 state regulations in providing nursing home care. In deciding whether
34 to deny a license under this section, the factors the department
35 considers shall include the gravity and frequency of the noncompliance
36 i or

37 (6) Has been certified pursuant to section 3 of this act by the
38 department of social and health services, division of child support, as

1 a person who is not in compliance with a support order. The
2 application of a person so certified by the department of social and
3 health services may be reviewed for issuance of a license under this
4 chapter after the person provides the department a written release
5 issued by the department of social and health services, division of
6 child support, stating that the person is in compliance with the order.

7 NEW SECTION. Sec. 26. A new section is added to chapter 18.51 RCW
8 to read as follows:

9 The department shall immediately suspend the license of a person
10 who has been certified pursuant to section 3 of this act by the
11 department of social and health services, division of support, as a
12 person who is not in compliance with a child support order. If the
13 person has continued to meet all other requirements for reinstatement
14 during the suspension, reissuance of the license shall be automatic
15 upon the department's receipt of a written release issued by the
16 division of child support stating that the person is in compliance with
17 the support order.

18 NEW SECTION. Sec. 27. A new section is added to chapter 18.76 RCW
19 to read as follows:

20 (1) No person who has been certified by the department of social
21 and health services as a person who is not in compliance with a support
22 order as provided in section 3 of this act may be issued a certificate
23 under this chapter. The application of a person so certified by the
24 department of social and health services may be reviewed for issuance
25 of a certificate under this chapter after the person provides the
26 department a written release issued by the department of social and
27 health services stating that the person is in compliance with the
28 order.

29 (2) The department shall immediately suspend the certification of
30 a poison center medical director or a poison information specialist who
31 has been certified pursuant to section 3 of this act by the department
32 of social and health services as a person who is not in compliance with
33 a support order. If the person has continued to meet all other
34 requirements for certification during the suspension, reissuance of the
35 certification shall be automatic upon the department's receipt of a
36 written release issued by the department of social and health services
37 stating that the person is in compliance with the support order.

1 NEW SECTION. **Sec. 28.** A new section is added to chapter 18.85 RCW
2 to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 3 of this act may be issued a broker's or
6 salesperson's license under this chapter. The application of a person
7 so certified by the department of social and health services may be
8 reviewed for issuance of a license under this chapter after the person
9 provides the director a written release issued by the department of
10 social and health services stating that the person is in compliance
11 with the order.

12 (2) The director shall immediately suspend the license of a broker
13 or salesperson who has been certified pursuant to section 3 of this act
14 by the department of social and health services as a person who is not
15 in compliance with a support order. If the person has continued to
16 meet all other requirements for reinstatement during the suspension,
17 reissuance of the license shall be automatic upon the director's
18 receipt of a written release issued by the department of social and
19 health services stating that the person is in compliance with the
20 support order.

21 NEW SECTION. **Sec. 29.** A new section is added to chapter 18.96 RCW
22 to read as follows:

23 No person who has been certified by the department of social and
24 health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act may be issued a certificate
26 of registration under this chapter. The application of a person so
27 certified by the department of social and health services may be
28 reviewed for issuance of a certificate under this chapter after the
29 person provides the director a written release issued by the department
30 of social and health services stating that the person is in compliance
31 with the order.

32 **Sec. 30.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
33 to read as follows:

34 (1) The director may refuse to renew, or may suspend or revoke, a
35 certificate of registration to use the titles landscape architect,
36 landscape architecture, or landscape architectural in this state upon
37 the following grounds:

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

3 (~~(2)~~) (b) The holder of the certificate of registration is guilty
4 of fraud, deceit, gross negligence, gross incompetency or gross
5 misconduct in the practice of landscape architecture.

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

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

12 (2) The director shall immediately suspend the certificate of
13 registration of a landscape architect who has been certified pursuant
14 to section 3 of this act by the department of social and health
15 services as a person who is not in compliance with a support order. If
16 the person has continued to meet all other requirements for
17 certification during the suspension, reissuance of the certificate of
18 registration shall be automatic upon the director's receipt of a
19 written release issued by the department of social and health services
20 stating that the person is in compliance with the support order.

21 **Sec. 31.** RCW 18.96.150 and 1993 c 35 s 6 are each amended to read
22 as follows:

23 Except as provided in section 29 of this act, the director shall
24 issue a certificate of registration upon payment of the registration
25 fee as provided in this chapter to any applicant who has satisfactorily
26 met all requirements for registration. All certificates of
27 registration shall show the full name of the registrant, shall have a
28 serial number and shall be signed by the chairman and the executive
29 secretary of the board, and by the director.

30 Each registrant shall obtain a seal of a design authorized by the
31 board, bearing the registrant's name and the legend, "registered
32 landscape architect". All sheets of drawings and title pages of
33 specifications prepared by the registrant shall be stamped with said
34 seal.

35 NEW SECTION. **Sec. 32.** A new section is added to chapter 18.104
36 RCW to read as follows:

1 No person who has been certified by the department of social and
2 health services as a person who is not in compliance with a support
3 order as provided in section 3 of this act may be issued a license
4 under this chapter. The application of a person so certified by the
5 department of social and health services may be reviewed for issuance
6 of a license under this chapter after the person provides the
7 department a written release issued by the department of social and
8 health services stating that the person is in compliance with the
9 order.

10 **Sec. 33.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
11 read as follows:

12 (1) In cases other than those relating to the failure of a licensee
13 to renew a license, the director may suspend or revoke a license issued
14 pursuant to this chapter for any of the following reasons:

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

16 ~~((2))~~ (b) For fraud or deception in reporting under RCW
17 18.104.050;

18 ~~((3))~~ (c) For violating the provisions of this chapter, or of any
19 lawful rule or regulation of the department or the department of
20 health.

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

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

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

1 **Sec. 34.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to
2 read as follows:

3 (1) Except as provided in section 35 of this act, the department
4 shall issue a certificate of competency to all applicants who have
5 passed the examination and have paid the fee for the certificate. The
6 certificate shall bear the date of issuance, and shall expire on the
7 birthdate of the holder immediately following the date of issuance.
8 The certificate shall be renewable every other year, upon application,
9 on or before the birthdate of the holder. A renewal fee shall be
10 assessed for each certificate. If a person fails to renew the
11 certificate by the renewal date, he or she must pay a doubled fee. If
12 the person does not renew the certificate within ninety days of the
13 renewal date, he or she must retake the examination and pay the
14 examination fee.

15 The certificate of competency and the temporary permit provided for
16 in this chapter grant the holder the right to engage in the work of
17 plumbing as a journeyman plumber or specialty plumber in accordance
18 with their provisions throughout the state and within any of its
19 political subdivisions on any job or any employment without additional
20 proof of competency or any other license or permit or fee to engage in
21 the work. This section does not preclude employees from adhering to a
22 union security clause in any employment where such a requirement
23 exists.

24 (2) A person who is indentured in an apprenticeship program
25 approved under chapter 49.04 RCW for the plumbing construction trade or
26 who is learning the plumbing construction trade may work in the
27 plumbing construction trade if supervised by a certified journeyman
28 plumber or a certified specialty plumber in that plumber's specialty.
29 All apprentices and individuals learning the plumbing construction
30 trade shall obtain a plumbing training certificate from the department.
31 The certificate shall authorize the holder to learn the plumbing
32 construction trade while under the direct supervision of a journeyman
33 plumber or a specialty plumber working in his or her specialty. The
34 holder of the plumbing training certificate shall renew the certificate
35 annually. At the time of renewal, the holder shall provide the
36 department with an accurate list of the holder's employers in the
37 plumbing construction industry for the previous year and the number of
38 hours worked for each employer. An annual fee shall be charged for the
39 issuance or renewal of the certificate. The department shall set the

1 fee by rule. The fee shall cover but not exceed the cost of
2 administering and enforcing the trainee certification and supervision
3 requirements of this chapter. Apprentices and individuals learning the
4 plumbing construction trade shall have their plumbing training
5 certificates in their possession at all times that they are performing
6 plumbing work. They shall show their certificates to an authorized
7 representative of the department at the representative's request.

8 (3) Any person who has been issued a plumbing training certificate
9 under this chapter may work if that person is under supervision.
10 Supervision shall consist of a person being on the same job site and
11 under the control of either a journeyman plumber or an appropriate
12 specialty plumber who has an applicable certificate of competency
13 issued under this chapter. Either a journeyman plumber or an
14 appropriate specialty plumber shall be on the same job site as the
15 noncertified individual for a minimum of seventy-five percent of each
16 working day unless otherwise provided in this chapter. The ratio of
17 noncertified individuals to certified journeymen or specialty plumbers
18 working on a job site shall be: (a) From July 28, 1985, through June
19 30, 1988, not more than three noncertified plumbers working on any one
20 job site for every certified journeyman or specialty plumber; (b)
21 effective July 1, 1988, not more than two noncertified plumbers working
22 on any one job site for every certified specialty plumber or journeyman
23 plumber working as a specialty plumber; and (c) effective July 1, 1988,
24 not more than one noncertified plumber working on any one job site for
25 every certified journeyman plumber working as a journeyman plumber.

26 An individual who has a current training certificate and who has
27 successfully completed or is currently enrolled in an approved
28 apprenticeship program or in a technical school program in the plumbing
29 construction trade in a school approved by the (~~commission for~~
30 ~~vocational education~~) work force training and education coordinating
31 board, may work without direct on-site supervision during the last six
32 months of meeting the practical experience requirements of this
33 chapter.

34 NEW SECTION. Sec. 35. A new section is added to chapter 18.106
35 RCW to read as follows:

36 (1) No person who has been certified by the department of social
37 and health services as a person who is not in compliance with a support
38 order as provided in section 3 of this act may be issued a certificate

1 of competency under this chapter. The application of a person so
2 certified by the department of social and health services may be
3 reviewed for issuance of a certificate of competency under this chapter
4 after the person provides the department a written release issued by
5 the department of social and health services stating that the person is
6 in compliance with the order.

7 (2) The department shall immediately suspend any certificate of
8 competency issued under this chapter if the holder of the certificate
9 has been certified pursuant to section 3 of this act by the department
10 of social and health services as a person who is not in compliance with
11 a support order. If the person has continued to meet all other
12 requirements for certification during the suspension, reissuance of the
13 certificate of competency shall be automatic upon the department's
14 receipt of a written release issued by the department of social and
15 health services stating that the person is in compliance with the
16 support order.

17 NEW SECTION. **Sec. 36.** A new section is added to chapter 18.130
18 RCW to read as follows:

19 The disciplining authority shall immediately suspend the license of
20 any person subject to this chapter who has been certified by the
21 department of social and health services as a person who is not in
22 compliance with a support order as provided in section 3 of this act.

23 **Sec. 37.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
24 read as follows:

25 The disciplining authority has the following authority:

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

28 (2) To investigate all complaints or reports of unprofessional
29 conduct as defined in this chapter and to hold hearings as provided in
30 this chapter;

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

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

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

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

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

6 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
7 or the office of administrative hearings as authorized in chapter 34.12
8 RCW to conduct hearings. The disciplining authority shall make the
9 final decision regarding disposition of the license unless the
10 disciplining authority elects to delegate in writing the final decision
11 to the presiding officer;

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

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

17 (11) To contract with licensees or other persons or organizations
18 to provide services necessary for the monitoring and supervision of
19 licensees who are placed on probation, whose professional activities
20 are restricted, or who are for any authorized purpose subject to
21 monitoring by the disciplining authority;

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

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

27 (14) To designate individuals authorized to sign subpoenas and
28 statements of charges;

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

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

1 (17) To immediately suspend licenses of persons who have been
2 certified by the department of social and health services as not in
3 compliance with a support order as provided in section 3 of this act.

4 **Sec. 38.** RCW 18.130.120 and 1984 c 279 s 12 are each amended to
5 read as follows:

6 The department shall not issue any license to any person whose
7 license has been denied, revoked, or suspended by the disciplining
8 authority except in conformity with the terms and conditions of the
9 certificate or order of denial, revocation, or suspension, or in
10 conformity with any order of reinstatement issued by the disciplining
11 authority, or in accordance with the final judgment in any proceeding
12 for review instituted under this chapter.

13 The department shall not issue a license to a person who has been
14 certified by the department of social and health services as a person
15 who is not in compliance with a support order as provided in section 3
16 of this act. The license may be issued after the person provides the
17 department a written release from the department of social and health
18 services stating that the person is in compliance with the order.

19 **Sec. 39.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
20 read as follows:

21 A person whose license has been suspended or revoked under this
22 chapter may petition the disciplining authority for reinstatement after
23 an interval as determined by the disciplining authority in the order.
24 The disciplining authority shall hold hearings on the petition and may
25 deny the petition or may order reinstatement and impose terms and
26 conditions as provided in RCW 18.130.160 and issue an order of
27 reinstatement. The disciplining authority may require successful
28 completion of an examination as a condition of reinstatement.

29 A person whose license has been suspended for noncompliance with a
30 support order under section 3 of this act may petition for
31 reinstatement at any time by providing the disciplining authority a
32 written release issued by the department of social and health services
33 stating that the person is in compliance with the support order. If
34 the person has continued to meet all other requirements for
35 reinstatement during the suspension, the disciplining authority shall
36 automatically reissue the person's license upon receipt of the release,
37 and payment of a reinstatement fee, if any.

1 NEW SECTION. **Sec. 40.** A new section is added to chapter 18.140
2 RCW to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 3 of this act may be issued a license or
6 certificate under this chapter. The application of a person so
7 certified by the department of social and health services may be
8 reviewed for issuance of a license or certificate after the person
9 provides the director a written release issued by the department of
10 social and health services stating that the person is in compliance
11 with the order.

12 (2) The director shall immediately suspend any license or
13 certificate issued under this chapter if the holder has been certified
14 pursuant to section 3 of this act by the department of social and
15 health services as a person who is not in compliance with a support
16 order. If the person has continued to meet all other requirements for
17 reinstatement during the suspension, reissuance of the license or
18 certificate shall be automatic upon the director's receipt of a written
19 release issued by the department of social and health services stating
20 that the person is in compliance with the support order.

21 **Sec. 41.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8 are
22 each reenacted and amended to read as follows:

23 Except as provided in section 42 of this act, the department shall
24 issue a certificate to any applicant who meets the standards
25 established under this chapter and who:

26 (1) Is holding one of the following:

27 (a) Certificate of proficiency, registered professional reporter,
28 registered merit reporter, or registered diplomate reporter from [the]
29 national court reporters association;

30 (b) Certificate of proficiency or certificate of merit from [the]
31 national stenomask verbatim reporters association; or

32 (c) A current Washington state court reporter certification; or

33 (2) Has passed an examination approved by the director or an
34 examination that meets or exceeds the standards established by the
35 director.

36 NEW SECTION. **Sec. 42.** A new section is added to chapter 18.145
37 RCW to read as follows:

1 (1) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 3 of this act may be issued a certificate
4 under this chapter. The application of a person so certified by the
5 department of social and health services may be reviewed for issuance
6 of a certificate after the person provides the director a written
7 release issued by the department of social and health services stating
8 that the person is in compliance with the order.

9 (2) The director shall immediately suspend any certificate issued
10 under this chapter if the holder has been certified pursuant to section
11 3 of this act by the department of social and health services as a
12 person who is not in compliance with a support order. If the person
13 has continued to meet all other requirements for certification during
14 the suspension, reissuance of the certificate shall be automatic upon
15 the director's receipt of a written release issued by the department of
16 social and health services stating that the person is in compliance
17 with the support order.

18 **Sec. 43.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
19 read as follows:

20 (1) The state director of fire protection may refuse to issue or
21 renew or may suspend or revoke the privilege of a licensed fire
22 protection sprinkler system contractor or the certificate of a
23 certificate of competency holder to engage in the fire protection
24 sprinkler system business or in lieu thereof, establish penalties as
25 prescribed by Washington state law, for any of the following reasons:

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

29 (b) Conviction of a felony;

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

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

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

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

3 (2) The state director of fire protection shall revoke the license
4 of a licensed fire protection sprinkler system contractor or the
5 certificate of a certificate of competency holder who engages in the
6 fire protection sprinkler system business while the license or
7 certificate of competency is suspended.

8 (3) The state director of fire protection shall refuse to issue or
9 immediately suspend any license or certificate issued under this
10 chapter if the holder has been certified pursuant to section 3 of this
11 act by the department of social and health services as a person who is
12 not in compliance with a support order. If the person has continued to
13 meet all other requirements for issuance or reinstatement during the
14 suspension, issuance, or reissuance of the license or certificate shall
15 be 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 support order.

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

22 **Sec. 44.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to
23 read as follows:

24 The following acts are prohibited and constitute grounds for
25 disciplinary action, assessing administrative penalties, or denial,
26 suspension, or revocation of any license under this chapter, as deemed
27 appropriate by the director:

28 (1) Knowingly violating any of the provisions of this chapter or
29 the rules adopted under this chapter;

30 (2) Knowingly making a material misstatement or omission in the
31 application for or renewal of a license or firearms certificate,
32 including falsifying requested identification information;

33 (3) Not meeting the qualifications set forth in RCW 18.165.030,
34 18.165.040, or 18.165.050;

35 (4) Failing to return immediately on demand a firearm issued by an
36 employer;

37 (5) Carrying a firearm in the performance of his or her duties if
38 not the holder of a valid armed private investigator license, or

1 carrying a firearm not meeting the provisions of this chapter while in
2 the performance of his or her duties;

3 (6) Failing to return immediately on demand company identification,
4 badges, or other items issued to the private investigator by an
5 employer;

6 (7) Making any statement that would reasonably cause another person
7 to believe that the private investigator is a sworn peace officer;

8 (8) Divulging confidential information obtained in the course of
9 any investigation to which he or she was assigned;

10 (9) Acceptance of employment that is adverse to a client or former
11 client and relates to a matter about which a licensee has obtained
12 confidential information by reason of or in the course of the
13 licensee's employment by the client;

14 (10) Conviction of a gross misdemeanor or felony or the commission
15 of any act involving moral turpitude, dishonesty, or corruption whether
16 the act constitutes a crime or not. If the act constitutes a crime,
17 conviction in a criminal proceeding is not a condition precedent to
18 disciplinary action. Upon such a conviction, however, the judgment and
19 sentence is conclusive evidence at the ensuing disciplinary hearing of
20 the guilt of the license holder or applicant of the crime described in
21 the indictment or information, and of the person's violation of the
22 statute on which it is based. For the purposes of this section,
23 conviction includes all instances in which a plea of guilty or nolo
24 contendere is the basis for the conviction and all proceedings in which
25 the sentence has been deferred or suspended;

26 (11) Advertising that is false, fraudulent, or misleading;

27 (12) Incompetence or negligence that results in injury to a person
28 or that creates an unreasonable risk that a person may be harmed;

29 (13) Suspension, revocation, or restriction of the individual's
30 license to practice the profession by competent authority in any state,
31 federal, or foreign jurisdiction, a certified copy of the order,
32 stipulation, or agreement being conclusive evidence of the revocation,
33 suspension, or restriction;

34 (14) Failure to cooperate with the director by:

35 (a) Not furnishing any necessary papers or documents requested by
36 the director for purposes of conducting an investigation for
37 disciplinary action, denial, suspension, or revocation of a license
38 under this chapter;

1 (b) Not furnishing in writing a full and complete explanation
2 covering the matter contained in a complaint filed with the department;
3 or

4 (c) Not responding to subpoenas issued by the director, whether or
5 not the recipient of the subpoena is the accused in the proceeding;

6 (15) Failure to comply with an order issued by the director or an
7 assurance of discontinuance entered into with the director;

8 (16) Aiding or abetting an unlicensed person to practice if a
9 license is required;

10 (17) Misrepresentation or fraud in any aspect of the conduct of the
11 business or profession;

12 (18) Failure to adequately supervise employees to the extent that
13 the public health or safety is at risk;

14 (19) Interference with an investigation or disciplinary proceeding
15 by willful misrepresentation of facts before the director or the
16 director's authorized representative, or by the use of threats or
17 harassment against any client or witness to prevent them from providing
18 evidence in a disciplinary proceeding or any other legal action;

19 (20) Assigning or transferring any license issued pursuant to the
20 provisions of this chapter, except as provided in RCW 18.165.050;

21 (21) Assisting a client to locate, trace, or contact a person when
22 the investigator knows that the client is prohibited by any court order
23 from harassing or contacting the person whom the investigator is being
24 asked to locate, trace, or contact, as it pertains to domestic
25 violence, stalking, or minor children;

26 (22) Failure to maintain bond or insurance; ((or))

27 (23) Failure to have a qualifying principal in place; or

28 (24) Being certified as not in compliance with a support order as
29 provided in section 3 of this act.

30 NEW SECTION. Sec. 45. A new section is added to chapter 18.165
31 RCW to read as follows:

32 (1) No person who has been certified by the department of social
33 and health services as a person who is not in compliance with a support
34 order as provided in section 3 of this act may be issued a license
35 under this chapter. The application of a person so certified by the
36 department of social and health services may be reviewed for issuance
37 of a license after the person provides the director a written release

1 issued by the department of social and health services stating that the
2 person is in compliance with the order.

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

12 **Sec. 46.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to
13 read as follows:

14 In addition to the provisions of section 47 of this act, the
15 following acts are prohibited and constitute grounds for disciplinary
16 action, assessing administrative penalties, or denial, suspension, or
17 revocation of any license under this chapter, as deemed appropriate by
18 the director:

19 (1) Knowingly violating any of the provisions of this chapter or
20 the rules adopted under this chapter;

21 (2) Practicing fraud, deceit, or misrepresentation in any of the
22 private security activities covered by this chapter;

23 (3) Knowingly making a material misstatement or omission in the
24 application for a license or firearms certificate;

25 (4) Not meeting the qualifications set forth in RCW 18.170.030,
26 18.170.040, or 18.170.060;

27 (5) Failing to return immediately on demand a firearm issued by an
28 employer;

29 (6) Carrying a firearm in the performance of his or her duties if
30 not the holder of a valid armed private security guard license, or
31 carrying a firearm not meeting the provisions of this chapter while in
32 the performance of his or her duties;

33 (7) Failing to return immediately on demand any uniform, badge, or
34 other item of equipment issued to the private security guard by an
35 employer;

36 (8) Making any statement that would reasonably cause another person
37 to believe that the private security guard is a sworn peace officer;

1 (9) Divulging confidential information that may compromise the
2 security of any premises, or valuables shipment, or any activity of a
3 client to which he or she was assigned;

4 (10) Conviction of a gross misdemeanor or felony or the commission
5 of any act involving moral turpitude, dishonesty, or corruption whether
6 the act constitutes a crime or not. If the act constitutes a crime,
7 conviction in a criminal proceeding is not a condition precedent to
8 disciplinary action. Upon such a conviction, however, the judgment and
9 sentence is conclusive evidence at the ensuing disciplinary hearing of
10 the guilt of the license holder or applicant of the crime described in
11 the indictment or information, and of the person's violation of the
12 statute on which it is based. For the purposes of this section,
13 conviction includes all instances in which a plea of guilty or nolo
14 contendere is the basis for the conviction and all proceedings in which
15 the sentence has been deferred or suspended;

16 (11) Misrepresentation or concealment of a material fact in
17 obtaining a license or in reinstatement thereof;

18 (12) Advertising that is false, fraudulent, or misleading;

19 (13) Incompetence or negligence that results in injury to a person
20 or that creates an unreasonable risk that a person may be harmed;

21 (14) Suspension, revocation, or restriction of the individual's
22 license to practice the profession by competent authority in any state,
23 federal, or foreign jurisdiction, a certified copy of the order,
24 stipulation, or agreement being conclusive evidence of the revocation,
25 suspension, or restriction;

26 (15) Failure to cooperate with the director by:

27 (a) Not furnishing any necessary papers or documents requested by
28 the director for purposes of conducting an investigation for
29 disciplinary action, denial, suspension, or revocation of a license
30 under this chapter;

31 (b) Not furnishing in writing a full and complete explanation
32 covering the matter contained in a complaint filed with the department;
33 or

34 (c) Not responding to subpoenas issued by the director, whether or
35 not the recipient of the subpoena is the accused in the proceeding;

36 (16) Failure to comply with an order issued by the director or an
37 assurance of discontinuance entered into with the disciplining
38 authority;

1 (17) Aiding or abetting an unlicensed person to practice if a
2 license is required;

3 (18) Misrepresentation or fraud in any aspect of the conduct of the
4 business or profession;

5 (19) Failure to adequately supervise employees to the extent that
6 the public health or safety is at risk;

7 (20) Interference with an investigation or disciplinary proceeding
8 by willful misrepresentation of facts before the director or the
9 director's authorized representative, or by the use of threats or
10 harassment against a client or witness to prevent them from providing
11 evidence in a disciplinary proceeding or any other legal action;

12 (21) Assigning or transferring any license issued pursuant to the
13 provisions of this chapter, except as provided in RCW 18.170.060;

14 (22) Failure to maintain insurance; and

15 (23) Failure to have a qualifying principal in place.

16 NEW SECTION. **Sec. 47.** A new section is added to chapter 18.170
17 RCW to read as follows:

18 (1) No person who has been certified by the department of social
19 and health services as a person who is not in compliance with a support
20 order as provided in section 3 of this act may be issued a license
21 under this chapter. The application of a person so certified by the
22 department of social and health services may be reviewed for issuance
23 of a license after the person provides the director a written release
24 issued by the department of social and health services stating that the
25 person is in compliance with the order.

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

35 NEW SECTION. **Sec. 48.** A new section is added to chapter 18.175
36 RCW to read as follows:

1 (1) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 3 of this act may be issued a certificate
4 of registration under this chapter. The application of a person so
5 certified by the department of social and health services may be
6 reviewed for issuance of a certificate of registration after the person
7 provides the director a written release issued by the department of
8 social and health services stating that the person is in compliance
9 with the order.

10 (2) The director shall immediately suspend a certificate of
11 registration issued under this chapter if the holder has been certified
12 pursuant to section 3 of this act by the department of social and
13 health services as a person who is not in compliance with a support
14 order. If the person has continued to meet all other requirements for
15 certification during the suspension, reissuance of the certificate
16 shall be automatic upon the director's receipt of a written release
17 issued by the department of social and health services stating that the
18 person is in compliance with the support order.

19 NEW SECTION. **Sec. 49.** A new section is added to chapter 18.185
20 RCW to read as follows:

21 (1) No person who has been certified by the department of social
22 and health services as a person who is not in compliance with a support
23 order as provided in section 3 of this act may be issued a license
24 under this chapter. The application of a person so certified by the
25 department of social and health services may be reviewed for issuance
26 of a license after the person provides the director a written release
27 issued by the department of social and health services stating that the
28 person is in compliance with the order.

29 (2) The director shall immediately suspend any license issued under
30 this chapter if the holder has been certified pursuant to section 3 of
31 this act by the department of social and health services as a person
32 who is not in compliance with a support order. If the person has
33 continued to meet all other requirements for reinstatement during the
34 suspension, reissuance of the license shall be automatic upon the
35 director'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 support order.

1 **Sec. 50.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
2 read as follows:

3 This section governs the denial of an application for a license or
4 the suspension, revocation, or modification of a license by the
5 department.

6 (1) The department shall give written notice of the denial of an
7 application for a license to the applicant or his or her agent. The
8 department shall give written notice of revocation, suspension, or
9 modification of a license to the licensee or his or her agent. The
10 notice shall state the reasons for the action. The notice shall be
11 personally served in the manner of service of a summons in a civil
12 action or shall be given in ((an other)) another manner that shows
13 proof of receipt.

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

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

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

27 (c) When the department has received certification pursuant to
28 chapter 74.20A RCW from the division of child support that the licensee
29 is a person who is not in compliance with a support order, the
30 department shall provide that the suspension is effective immediately
31 upon receipt of the suspension notice by the licensee.

32 (3) Except for licensees suspended for noncompliance with a support
33 order under chapter 74.20A RCW, a license applicant or licensee who is
34 aggrieved by a department denial, revocation, suspension, or
35 modification has the right to an adjudicative proceeding. The
36 proceeding is governed by the Administrative Procedure Act, chapter
37 34.05 RCW. The application must be in writing, state the basis for
38 contesting the adverse action, include a copy of the adverse notice, be
39 served on and received by the department within twenty-eight days of

1 the license applicant's or licensee's receiving the adverse notice, and
2 be served in a manner that shows proof of receipt.

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

12 (b) If the department gives a licensee less than twenty-eight days
13 notice of revocation, suspension, or modification and the licensee
14 timely files a sufficient appeal, the department may implement the
15 adverse action on the effective date stated in the notice. The
16 presiding or reviewing officer may order the department to stay
17 implementation of part or all of the adverse action while the
18 proceedings are pending if staying implementation is in the public
19 interest or for other good cause.

20 NEW SECTION. **Sec. 51.** A new section is added to chapter 28A.410
21 RCW to read as follows:

22 (1) No person who has been certified by the department of social
23 and health services as a person who is not in compliance with a support
24 order as provided in section 3 of this act may be issued a certificate
25 or permit under this chapter. The application of a person so certified
26 by the department of social and health services may be reviewed for
27 issuance of a certificate or permit after the person provides the
28 authority authorized to grant the certificate or permit a written
29 release issued by the department of social and health services stating
30 that the person is in compliance with the order.

31 (2) Any certificate or permit authorized under this chapter or
32 chapter 28A.405 RCW shall be suspended by the authority authorized to
33 grant the certificate or permit if the department of social and health
34 services certifies that the person is not in compliance with a support
35 order as provided in section 3 of this act. If the person continues to
36 meet other requirements for reinstatement during the suspension,
37 reissuance of the certificate or permit shall be automatic after the
38 person provides the authority a written release issued by the

1 department of social and health services stating that the person is in
2 compliance with the order.

3 **Sec. 52.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to read
4 as follows:

5 This section governs the denial of an application for a license or
6 the suspension, revocation, or modification of a license by the
7 department. This section does not govern actions taken under chapter
8 18.130 RCW.

9 (1) The department shall give written notice of the denial of an
10 application for a license to the applicant or his or her agent. The
11 department shall give written notice of revocation, suspension, or
12 modification of a license to the licensee or his or her agent. The
13 notice shall state the reasons for the action. The notice shall be
14 personally served in the manner of service of a summons in a civil
15 action or shall be given in ((~~an other~~ {~~another~~}) another manner that
16 shows proof of receipt.

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

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

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

30 (c) When the department has received certification pursuant to
31 chapter 74.20A RCW from the department of social and health services
32 that the licensee is a person who is not in compliance with a child
33 support order, the department shall provide that the suspension is
34 effective immediately upon receipt of the suspension notice by the
35 licensee.

36 (3) Except for licensees suspended for noncompliance with a child
37 support order under chapter 74.20A RCW, a license applicant or licensee
38 who is aggrieved by a department denial, revocation, suspension, or

1 modification has the right to an adjudicative proceeding. The
2 proceeding is governed by the Administrative Procedure Act, chapter
3 34.05 RCW. The application must be in writing, state the basis for
4 contesting the adverse action, include a copy of the adverse notice, be
5 served on and received by the department within twenty-eight days of
6 the license applicant's or licensee's receiving the adverse notice, and
7 be served in a manner that shows proof of receipt.

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

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

25 NEW SECTION. **Sec. 53.** A new section is added to chapter 26.18 RCW
26 to read as follows:

27 (1) Upon motion by the obligee and after a hearing the court may
28 enter a finding that the obligor is not in compliance with a support
29 order for purposes of this section and that the obligor has a license
30 or is in the process of applying for or renewing a license that is
31 subject to the provisions of this section. The issue that may be
32 considered at the hearing is limited to whether the obligor is in
33 compliance with the support order.

34 (2) If the court enters a finding that the obligor is not in
35 compliance with a support order, the court shall enter an order
36 directed to the appropriate licensing entity which certifies that the
37 obligor is not in compliance with a support order. The order shall
38 contain the obligor's name, address, and social security number, and

1 shall indicate whether the obligor is believed to be a licensee who
2 has, is in the process of applying for, or may seek renewal of a
3 license issued directly by the licensing entity or through a board
4 affiliated with the licensing entity. The court clerk shall forward
5 the order to the licensing entity.

6 (3) Upon receipt of the court order the licensing entity shall
7 refuse to issue or renew a license to the licensee or shall suspend the
8 licensee's license according to the provisions of section 3 of this act
9 until the licensee provides the licensing entity with a release from
10 the court that states the licensee is in compliance with the support
11 order.

12 (4) When an obligor subsequently complies with the support order,
13 the court shall provide the obligor and the appropriate licensing
14 entity with written confirmation that the obligor is in compliance with
15 the court order.

16 (5) The court may issue an order denying, suspending, or not
17 reissuing a license if the court issues an arrest warrant after the
18 obligor fails to appear at the show cause hearing.

19 (6) Nothing in this section prohibits an obligor from filing a
20 motion to modify a support order with the court under applicable
21 provisions in chapter 26.09 RCW governing modification.

22 (7) As used in this section, unless the context indicates
23 otherwise, "licensing entity," "noncompliance with a support order,"
24 "license," and "licensee" have the same meanings as in RCW 74.20A.020.

25 **Sec. 54.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to read
26 as follows:

27 (1) If the office of support enforcement is providing support
28 enforcement services under RCW 26.23.045, or if a party is applying for
29 support enforcement services by signing the application form on the
30 bottom of the support order, the superior court shall include in all
31 court orders that establish or modify a support obligation:

32 (a) A provision that orders and directs the responsible parent to
33 make all support payments to the Washington state support registry;

34 (b) A statement that a notice of payroll deduction may be issued,
35 or other income withholding action under chapter 26.18 or 74.20A RCW
36 may be taken, without further notice to the responsible parent at any
37 time after entry of the court order, unless:

1 (i) One of the parties demonstrates, and the court finds, that
2 there is good cause not to require immediate income withholding and
3 that withholding should be delayed until a payment is past due; or

4 (ii) The parties reach a written agreement that is approved by the
5 court that provides for an alternate arrangement; ((and))

6 (c) A statement that the receiving parent might be required to
7 submit an accounting of how the support is being spent to benefit the
8 child; and

9 (d) A statement that the responsible parent's privileges to obtain
10 and maintain a license, as defined in section 53 of this act, may be
11 denied, not renewed, or suspended if the parent is not in compliance
12 with a support order as defined in section 53 of this act.

13 As used in this subsection and subsection (3) of this section,
14 "good cause not to require immediate income withholding" means a
15 written determination of why implementing immediate wage withholding
16 would not be in the child's best interests and, in modification cases,
17 proof of timely payment of previously ordered support.

18 (2) In all other cases not under subsection (1) of this section,
19 the court may order the responsible parent to make payments directly to
20 the person entitled to receive the payments, to the Washington state
21 support registry, or may order that payments be made in accordance with
22 an alternate arrangement agreed upon by the parties.

23 (a) The superior court shall include in all orders under this
24 subsection that establish or modify a support obligation:

25 (i) A statement that a notice of payroll deduction may be issued or
26 other income withholding action under chapter 26.18 or 74.20A RCW may
27 be taken, without further notice to the responsible parent at any time
28 after entry of the court order, unless:

29 (A) One of the parties demonstrates, and the court finds, that
30 there is good cause not to require immediate income withholding and
31 that withholding should be delayed until a payment is past due; or

32 (B) The parties reach a written agreement that is approved by the
33 court that provides for an alternate arrangement; and

34 (ii) A statement that the receiving parent may be required to
35 submit an accounting of how the support is being spent to benefit the
36 child.

37 As used in this subsection, "good cause not to require immediate
38 income withholding" is any reason that the court finds appropriate.

1 (b) The superior court may order immediate or delayed income
2 withholding as follows:

3 (i) Immediate income withholding may be ordered if the responsible
4 parent has earnings. If immediate income withholding is ordered under
5 this subsection, all support payments shall be paid to the Washington
6 state support registry. The superior court shall issue a mandatory
7 wage assignment order as set forth in chapter 26.18 RCW when the
8 support order is signed by the court. The parent entitled to receive
9 the transfer payment is responsible for serving the employer with the
10 order and for its enforcement as set forth in chapter 26.18 RCW.

11 (ii) If immediate income withholding is not ordered, the court
12 shall require that income withholding be delayed until a payment is
13 past due. The support order shall contain a statement that a notice of
14 payroll deduction may be issued, or other income-withholding action
15 under chapter 26.18 or 74.20A RCW may be taken, without further notice
16 to the responsible parent, after a payment is past due.

17 (c) If a mandatory wage withholding order under chapter 26.18 RCW
18 is issued under this subsection and the office of support enforcement
19 provides support enforcement services under RCW 26.23.045, the existing
20 wage withholding assignment is prospectively superseded upon the office
21 of support enforcement's subsequent service of an income withholding
22 notice.

23 (3) The office of administrative hearings and the department of
24 social and health services shall require that all support obligations
25 established as administrative orders include a provision which orders
26 and directs that the responsible parent shall make all support payments
27 to the Washington state support registry. All administrative orders
28 shall also state that the responsible parent's privileges to obtain and
29 maintain a license, as defined in section 53 of this act, may be
30 denied, not renewed, or suspended if the parent is not in compliance
31 with a support order as defined in section 53 of this act. All
32 administrative orders shall also state that a notice of payroll
33 deduction may be issued, or other income withholding action taken
34 without further notice to the responsible parent at any time after
35 entry of the order, unless:

36 (a) One of the parties demonstrates, and the presiding officer
37 finds, that there is good cause not to require immediate income
38 withholding; or

1 (b) The parties reach a written agreement that is approved by the
2 presiding officer that provides for an alternate agreement.

3 (4) If the support order does not include the provision ordering
4 and directing that all payments be made to the Washington state support
5 registry and a statement that a notice of payroll deduction may be
6 issued if a support payment is past due or at any time after the entry
7 of the order, or that a parent's licensing privileges may be denied,
8 not renewed, or suspended, the office of support enforcement may serve
9 a notice on the responsible parent stating such requirements and
10 authorizations. Service may be by personal service or any form of mail
11 requiring a return receipt.

12 (5) Every support order shall state:

13 (a) The address where the support payment is to be sent;

14 (b) That a notice of payroll deduction may be issued or other
15 income withholding action under chapter 26.18 or 74.20A RCW may be
16 taken, without further notice to the responsible parent at any time
17 after entry of an order by the court, unless:

18 (i) One of the parties demonstrates, and the court finds, that
19 there is good cause not to require immediate income withholding; or

20 (ii) The parties reach a written agreement that is approved by the
21 court that provides for an alternate arrangement;

22 (c) The income of the parties, if known, or that their income is
23 unknown and the income upon which the support award is based;

24 (d) The support award as a sum certain amount;

25 (e) The specific day or date on which the support payment is due;

26 (f) The social security number, residence address, and name and
27 address of the employer of the responsible parent;

28 (g) The social security number and residence address of the
29 physical custodian except as provided in subsection (6) of this
30 section;

31 (h) The names, dates of birth, and social security numbers, if any,
32 of the dependent children;

33 (i) In cases requiring payment to the Washington state support
34 registry, that the parties are to notify the Washington state support
35 registry of any change in residence address. The responsible parent
36 shall notify the registry of the name and address of his or her current
37 employer, whether he or she has access to health insurance coverage at
38 reasonable cost and, if so, the health insurance policy information;

1 (j) That any parent owing a duty of child support shall be
2 obligated to provide health insurance coverage for his or her child if
3 coverage that can be extended to cover the child is or becomes
4 available to that parent through employment or is union-related as
5 provided under RCW 26.09.105;

6 (k) That if proof of health insurance coverage or proof that the
7 coverage is unavailable is not provided within twenty days, the obligee
8 or the department may seek direct enforcement of the coverage through
9 the obligor's employer or union without further notice to the obligor
10 as provided under chapter 26.18 RCW; ((and))

11 (l) The reasons for not ordering health insurance coverage if the
12 order fails to require such coverage; and

13 (m) That the responsible parent's privileges to obtain and maintain
14 a license, as defined in section 53 of this act, may be denied, not
15 renewed, or suspended if the parent is not in compliance with a support
16 order as defined in section 53 of this act.

17 (6) The physical custodian's address:

18 (a) Shall be omitted from an order entered under the administrative
19 procedure act. When the physical custodian's address is omitted from
20 an order, the order shall state that the custodian's address is known
21 to the office of support enforcement.

22 (b) A responsible parent may request the physical custodian's
23 residence address by submission of a request for disclosure under RCW
24 26.23.120 to the office of support enforcement.

25 (7) The superior court clerk, the office of administrative
26 hearings, and the department of social and health services shall,
27 within five days of entry, forward to the Washington state support
28 registry, a true and correct copy of all superior court orders or
29 administrative orders establishing or modifying a support obligation
30 which provide that support payments shall be made to the support
31 registry. If a superior court order entered prior to January 1, 1988,
32 directs the responsible parent to make support payments to the clerk,
33 the clerk shall send a true and correct copy of the support order and
34 the payment record to the registry for enforcement action when the
35 clerk identifies that a payment is more than fifteen days past due.
36 The office of support enforcement shall reimburse the clerk for the
37 reasonable costs of copying and sending copies of court orders to the
38 registry at the reimbursement rate provided in Title IV-D of the social
39 security act.

1 (8) Receipt of a support order by the registry or other action
2 under this section on behalf of a person or persons who have not made
3 a written application for support enforcement services to the office of
4 support enforcement and who are not recipients of public assistance is
5 deemed to be a request for payment services only.

6 (9) After the responsible parent has been ordered or notified to
7 make payments to the Washington state support registry under this
8 section, the responsible parent shall be fully responsible for making
9 all payments to the Washington state support registry and shall be
10 subject to payroll deduction or other income withholding action. The
11 responsible parent shall not be entitled to credit against a support
12 obligation for any payments made to a person or agency other than to
13 the Washington state support registry except as provided under RCW
14 74.20.101. A civil action may be brought by the payor to recover
15 payments made to persons or agencies who have received and retained
16 support moneys paid contrary to the provisions of this section.

17 NEW SECTION. **Sec. 55.** A new section is added to chapter 26.09 RCW
18 to read as follows:

19 The court may issue an order denying, suspending, or not reissuing
20 a license if the court issues an arrest warrant after the parent fails
21 to appear following service under the civil rules at any hearing
22 involving determination, modification, or enforcement of support or if
23 a warrant is issued for failure to appear.

24 As used in this section, "license" has the same meaning as in RCW
25 74.20A.020.

26 NEW SECTION. **Sec. 56.** A new section is added to chapter 26.26 RCW
27 to read as follows:

28 The court may issue an order denying, suspending, or not reissuing
29 a license if the court issues an arrest warrant after the parent fails
30 to appear following service under the civil rules at any hearing
31 involving establishment of paternity or support or if a warrant is
32 issued for failure to appear.

33 As used in this section, "license" has the same meaning as in RCW
34 74.20A.020.

35 NEW SECTION. **Sec. 57.** A new section is added to chapter 74.20A
36 RCW to read as follows:

1 The court may issue an order denying, suspending, or not reissuing
2 a license if the court issues an arrest warrant after the parent fails
3 to appear following service under the civil rules at any hearing
4 involving determination, modification, or enforcement of support or if
5 a warrant is issued for failure to appear.

6 NEW SECTION. **Sec. 58.** A new section is added to chapter 74.20A
7 RCW to read as follows:

8 The department shall indemnify a board acting under the authority
9 of section 3 of this act for reasonable legal expenses incurred in
10 defending the board's actions to comply with the requirements of
11 section 3 of this act.

12 NEW SECTION. **Sec. 59.** The department of fish and wildlife shall
13 report by December 31, 1996, to appropriate committees of the
14 legislature with recommendations on legislation to provide for the
15 denial or suspension of recreational licenses for persons who have been
16 certified by the department of social and health services as not in
17 compliance with a support order under section 3 of this act.

18 NEW SECTION. **Sec. 60.** This act applies prospectively and
19 retroactively to parents who are not in compliance with a support order
20 on, before, or after the effective date of this section.

21 NEW SECTION. **Sec. 61.** If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 62.** Section 10 of this act takes effect July
26 29, 2001.

27 NEW SECTION. **Sec. 63.** Sections 1 through 9 and 11 through 60 of
28 this act take effect July 1, 1996.

29 NEW SECTION. **Sec. 64.** This act is null and void unless federal
30 legislation becomes law after January 1, 1996, and by December 31,
31 1998, requiring states to implement the provisions of this act or

1 similar provisions as a prerequisite to receiving federal public
2 assistance funds.

--- END ---