

1 1079-S2 AMH TOKU H2379.1

2 **2SHB 1079 - H AMD 068 FAILED 3-3-97**

3 By Representative Tokuda

4

5 Strike everything after the enacting clause and insert the  
6 following:

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19 NEW SECTION. **Sec. 1.** INTENT. The legislature finds that it is in  
20 the public interest that the state adopt public assistance policies for  
21 needy families that stress: The central role of employment in reducing  
22 poverty and need; the temporary nature of public assistance; the  
23 importance of the state's efforts in sustaining economic independence  
24 and promoting occupational and income advancement; and the continuing

1 responsibility of the state to protect children and other vulnerable  
2 residents.

3 Therefore, the legislature intends that:

4 (1) Work should provide the best opportunity for needy families to  
5 raise their incomes and leave poverty;

6 (2) Parents should be responsible for support of their children.  
7 Child support will be aggressively pursued to assure that  
8 responsibility is fulfilled;

9 (3) Those recipients who can work shall immediately participate in  
10 mandatory work or work preparation activities;

11 (4) Sanctions for nonparticipation shall be clear, timely, and  
12 progressive;

13 (5) Work should pay and the incentives in the system should support  
14 unsubsidized employment opportunities;

15 (6) Education and job training should be accessible so an  
16 entry-level job can be the first step on a career ladder;

17 (7) The individual shall sign a statement of personal  
18 responsibility, acknowledging responsibility for moving quickly into  
19 the world of work;

20 (8) The state should help provide the tools for assistance  
21 recipients to get and keep a job, and improve their opportunity for  
22 advancement;

23 (9) Essential services that low and moderate-income families need  
24 for sustaining independence, including health care insurance and child  
25 care, should be affordable and accessible;

26 (10) Assistance should be available for those unable to perform  
27 self-sustaining work;

28 (11) Individuals temporarily not able to work will be responsible  
29 for participating in activities designed to help them achieve self-  
30 sufficiency;

31 (12) Legal immigrants should be eligible for the same programs as  
32 other residents;

33 (13) State agencies involved with the temporary assistance for  
34 needy families program will be focused on moving people into  
35 self-sustaining work;

36 (14) The state's goals should be supported by working through  
37 public and private providers who are most effective in getting people  
38 ready for and into unsubsidized employment;

1 (15) Partnerships should be built with local governments, business,  
2 labor, and civic and religious organizations to mobilize the resources  
3 of communities to help families raise their incomes and leave poverty;  
4 and

5 (16) WorkFirst should recognize the distinct needs and resources of  
6 communities and provide recipients with programs suited to the  
7 different labor markets of the state.

## 8 I. GENERAL PROVISIONS

9 **Sec. 101.** RCW 74.08.340 and 1959 c 26 s 74.08.340 are each amended  
10 to read as follows:

11 All assistance granted under this title shall be deemed to be  
12 granted and to be held subject to the provisions of any amending or  
13 repealing act that may hereafter be enacted, and no recipient shall  
14 have any claim for compensation, or otherwise, by reason of his  
15 assistance being affected in any way by such amending or repealing act.  
16 There is no legal entitlement to temporary assistance for needy  
17 families.

18 **Sec. 102.** RCW 74.08.025 and 1981 1st ex.s. c 6 s 9 are each  
19 amended to read as follows:

20 Public assistance (~~shall~~) may be awarded to any applicant:

21 (1) Who is in need and otherwise meets the eligibility requirements  
22 of department assistance programs; and

23 (2) Who has not made a voluntary assignment of property or cash for  
24 the purpose of qualifying for an assistance grant; and

25 (3) Who is not an inmate of a public institution except as a  
26 patient in a medical institution or except as an inmate in a public  
27 institution who could qualify for federal aid assistance: PROVIDED,  
28 That the assistance paid by the department to recipients in nursing  
29 homes, or receiving nursing home care, may cover the cost of clothing  
30 and incidentals and general maintenance exclusive of medical care and  
31 health services. The department may pay a grant to cover the cost of  
32 clothing and personal incidentals in public or private medical  
33 institutions and institutions for tuberculosis. The department shall  
34 allow recipients in nursing homes to retain, in addition to the grant  
35 to cover the cost of clothing and incidentals, wages received for work  
36 as a part of a training or rehabilitative program designed to prepare

1 the recipient for less restrictive placement to the extent permitted  
2 under Title XIX of the federal social security act.

3 NEW SECTION. **Sec. 103.** A new section is added to chapter 74.12  
4 RCW to read as follows:

5 TIME LIMITS. (1) A family that includes an adult who has received  
6 temporary assistance for needy families for sixty months after the  
7 effective date of this section shall be ineligible for further  
8 temporary assistance for needy families assistance.

9 (2) For the purposes of applying the rules of this section, the  
10 department shall count any month in which an adult family member  
11 received a temporary assistance for needy families cash assistance  
12 grant unless the assistance was provided when the family member was a  
13 minor child and not the head of the household or married to the head of  
14 the household.

15 (3) The legislature recognizes that under P.L. 104-193 the  
16 department may exempt no more than twenty percent of the temporary  
17 assistance for needy families caseload from the sixty-month time limit.  
18 The legislature further recognizes that not all adult recipients of  
19 temporary assistance for needy families can be expected to attain self-  
20 sufficiency within this time limit. Because the sixty-month time limit  
21 will not be applicable to recipients until 2002, the legislature  
22 further believes that it is appropriate to engage in the study required  
23 in section 501 of this act before making decisions about caseload  
24 exemptions.

25 **Sec. 104.** RCW 74.12.035 and 1985 c 335 s 1 are each amended to  
26 read as follows:

27 ~~(1) ((A family or assistance unit is not eligible for aid for any~~  
28 ~~month if for that month the total income of the family or assistance~~  
29 ~~unit, without application of income disregards, exceeds one hundred~~  
30 ~~eighty-five percent of the state standard of need for a family of the~~  
31 ~~same composition: PROVIDED, That for the purposes of determining the~~  
32 ~~total income of the family or assistance unit, the earned income of a~~  
33 ~~dependent child who is a full-time student for whom aid to families~~  
34 ~~with dependent children is being provided shall be disregarded for six~~  
35 ~~months per calendar year.~~

36 ~~(2))~~ Participation in a strike does not constitute good cause to  
37 leave or to refuse to seek or accept employment. Assistance is not

1 payable to a family for any month in which any caretaker relative with  
2 whom the child is living is, on the last day of the month,  
3 participating in a strike. An individual's need shall not be included  
4 in determining the amount of aid payable for any month to a family or  
5 assistance unit if, on the last day of the month, the individual is  
6 participating in a strike.

7 ~~((3))~~ (2) Children over eighteen years of age and under nineteen  
8 years of age who are otherwise eligible for temporary assistance for  
9 needy families and who are full-time students (~~(reasonably expected to~~  
10 ~~complete a program of)~~) attending secondary school, or the equivalent  
11 level of vocational or technical training(~~(, before reaching nineteen~~  
12 ~~years of age)~~) are eligible to receive (~~(aid to families with dependent~~  
13 ~~children: PROVIDED HOWEVER, That if such students do not successfully~~  
14 ~~complete such program before reaching nineteen years of age, the~~  
15 ~~assistance rendered under this subsection during such period shall not~~  
16 ~~be a debt due the state)~~) temporary assistance for needy families.

17 NEW SECTION. Sec. 105. A new section is added to chapter 74.12A  
18 RCW to read as follows:

19 GRANT DIVERSION. The legislature recognizes there are low-income  
20 employable families who are in danger of becoming reliant on public  
21 assistance. With minimal short-term help from the state, these  
22 families can remain intact, actively involved in the labor market, and  
23 financially self-sufficient. Therefore, the legislature finds it is in  
24 the public interest to establish a grant diversion program to help at-  
25 risk families remain off temporary assistance for needy families.

26 (1) The department may provide state-funded cash aid to meet short-  
27 term need, thereby allowing employable low-income families to remain  
28 off assistance.

29 (2) Diversion assistance may include cash or vouchers in payment  
30 for the following needs:

- 31 (a) Child care;
- 32 (b) Housing assistance;
- 33 (c) Transportation-related expenses;
- 34 (d) Food;
- 35 (e) Medical costs not covered under chapter 74.09 RCW; and
- 36 (f) Employment-related expenses that are necessary to keep or  
37 obtain paid unsubsidized employment.

1 (3) Diversion assistance is available once in each twelve-month  
2 period. Recipients of diversion assistance are not included in the  
3 temporary assistance for needy families program.

4 (4) Diversion assistance may not exceed one thousand five hundred  
5 dollars for each instance.

6 (5) To be eligible for diversion assistance, a family must  
7 otherwise be eligible for, but not receiving, temporary assistance for  
8 needy families.

9 (6) Families ineligible for temporary assistance for needy families  
10 due to sanction, noncompliance, the lump sum income rule, or any other  
11 reason are not eligible for diversion assistance.

12 (7) Families must provide evidence showing that a bona fide need  
13 exists according to subsection (2) of this section in order to be  
14 eligible for diversion assistance.

15 (8) If the recipient of diversion assistance receives temporary  
16 assistance for needy families assistance within a period specified by  
17 the department, but not to exceed twelve months following the receipt  
18 of diversion assistance, the amount of the diversion assistance shall  
19 be recovered by the state by deduction from the recipient's temporary  
20 assistance for needy families grant.

21 (9) If funds appropriated for grant diversion are exhausted, the  
22 department shall discontinue the program in this section.

23 **Sec. 106.** RCW 74.09.510 and 1991 sp.s. c 8 s 8 are each amended to  
24 read as follows:

25 Medical assistance may be provided in accordance with eligibility  
26 requirements established by the department (~~(of social and health~~  
27 ~~services))), as defined in the social security Title XIX state plan for  
28 mandatory categorically needy persons and: (1) Individuals who would  
29 be eligible for cash assistance except for their institutional status;  
30 (2) individuals who are under twenty-one years of age, who would be  
31 eligible for (~~(aid to families with dependent children))~~ temporary  
32 assistance for needy families, but do not qualify as dependent children  
33 and who are in (a) foster care, (b) subsidized adoption, (c) a nursing  
34 facility or an intermediate care facility for the mentally retarded, or  
35 (d) inpatient psychiatric facilities; (3) the aged, blind, and disabled  
36 who: (a) Receive only a state supplement, or (b) would not be eligible  
37 for cash assistance if they were not institutionalized; (4)  
38 categorically related individuals who (~~would be eligible for but~~~~

1 ~~choose not to receive cash assistance~~) meet the income and resource  
2 requirements of the cash assistance programs; (5) individuals who are  
3 enrolled in managed health care systems, who have otherwise lost  
4 eligibility for medical assistance, but who have not completed a  
5 current six-month enrollment in a managed health care system, and who  
6 are eligible for federal financial participation under Title XIX of the  
7 social security act; (6) children and pregnant women allowed by federal  
8 statute for whom funding is appropriated; (~~and~~) (7) other individuals  
9 eligible for medical services under RCW 74.09.035 and 74.09.700 for  
10 whom federal financial participation is available under Title XIX of  
11 the social security act; and (8) persons allowed by section 1931 of the  
12 social security act for whom funding is appropriated.

13 NEW SECTION. Sec. 107. A new section is added to chapter 74.08  
14 RCW to read as follows:

15 GOOD CAUSE EXEMPTIONS. The department shall establish by rule good  
16 cause exemptions consistent with the family violence options of Sec.  
17 402 (a)(7) of Title IV-A of the federal social security act as amended  
18 by P.L. 104-193. Individuals granted a good cause exemption may not be  
19 subject to work requirements, child support cooperation requirements,  
20 and time limits of section 103 of this act. The department shall  
21 periodically review such exemptions to determine when they are no  
22 longer necessary.

23 NEW SECTION. Sec. 108. A new section is added to chapter 74.12  
24 RCW to read as follows:

25 STATE-FUNDED TEMPORARY ASSISTANCE FOR NEEDY FAMILIES. (1) The  
26 department may provide state-funded temporary assistance for needy  
27 families and medical assistance to needy families if: The needy  
28 caretaker relative is disabled; the needy caretaker relative is needed  
29 in the home to care for a disabled family member; or the needy  
30 nonparent caretaker relative is at least fifty years old.

31 (2) Such assistance shall be provided under the same rules and in  
32 the same amount as under the temporary assistance for needy families  
33 program except: Such families shall not be subject to temporary  
34 assistance for needy families WorkFirst requirements unless they  
35 volunteer and they will not be subject to the sixty-month time limit in  
36 section 103 of this act.

1 (3) The department may use state funds as appropriated to provide  
2 such benefits.

3 NEW SECTION. **Sec. 109.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 74.12.420 and 1994 c 299 s 9; and

6 (2) RCW 74.12.425 and 1994 c 299 s 10.

7 **II. WORKFIRST**

8 NEW SECTION. **Sec. 201.** A new section is added to chapter 74.25  
9 RCW to read as follows:

10 STATEMENT OF PERSONAL RESPONSIBILITY. (1) A family receiving or  
11 applying for assistance under the temporary assistance for needy  
12 families program is ineligible for continued or new assistance if the  
13 recipient and the department have not completed a statement of personal  
14 responsibility satisfying the requirements of this section.

15 (2) The statement of personal responsibility shall emphasize the  
16 importance of work.

17 (3) The statement of personal responsibility shall contain, but is  
18 not limited to (a) an explanation of Washington's WorkFirst program,  
19 including time limits; (b) the rights and responsibilities of the  
20 recipient in the WorkFirst program; (c) a list of the available  
21 programs for which the family is eligible; and (d) the sanctions  
22 imposed on the recipient for refusing or failing to participate in the  
23 WorkFirst program.

24 NEW SECTION. **Sec. 202.** A new section is added to chapter 74.25  
25 RCW to read as follows:

26 WASHINGTON WORKFIRST PROGRAM. (1) There is established in the  
27 department the WorkFirst program, the welfare-to-work program for  
28 temporary assistance for needy families. The department shall  
29 administer the program consistent with the temporary assistance for  
30 needy families provisions of P.L. 104-193. In operating the WorkFirst  
31 program the department shall require recipients of temporary assistance  
32 for needy families to engage in work activities, as defined in P.L.  
33 104-193 on the effective date of this section, including:

34 (a) Unsubsidized paid employment in the private or public sector;

35 (b) Subsidized paid employment in the private or public sector;

1 (c) Work experience, including work associated with the  
2 refurbishing of publicly assisted housing, if sufficient paid  
3 employment is not available;

4 (d) On-the-job training;

5 (e) Job search and job readiness assistance;

6 (f) Community service programs;

7 (g) Vocational educational training, not to exceed twelve months  
8 with respect to any individual;

9 (h) Job skills training directly related to employment, including  
10 structured pursuit of self-employment opportunities that involves  
11 development of a business plan and meets criteria for micro-credit and  
12 micro-enterprise opportunities;

13 (i) Education directly related to employment, in the case of a  
14 recipient who has not received a high school diploma or a GED;

15 (j) Satisfactory attendance at secondary school or in a course of  
16 study leading to a GED, in the case of a recipient who has not  
17 completed secondary school or received such a certificate;

18 (k) The provision of child care services to an individual who is  
19 participating in a community service program; or

20 (l) Other activities as defined by the department that are directly  
21 related to improving the recipient's employability and lead to the  
22 first available job.

23 (2) All recipients of temporary assistance for needy families shall  
24 participate in the WorkFirst program except single custodial parent  
25 recipients with a child under age one year. The exemption shall not  
26 exceed a total of twelve months.

27 (3) The department shall adopt rules under chapter 34.05 RCW  
28 establishing criteria constituting circumstances of good cause for an  
29 individual failing or refusing to participate in an assigned activity,  
30 or failing or refusing to accept or retain employment.

31 (4) All teen parents under age eighteen years who are approved for  
32 assistance shall, as a condition of receiving benefits, actively  
33 progress toward the completion of a high school diploma, GED, or an  
34 approved alternative education program.

35 (5) The department may provide employment and training and  
36 education support services to assist temporary assistance for needy  
37 families recipients under chapter 74.12 RCW to obtain employment.

1 (6) The department may contract with public and private employment  
2 and training agencies and other public service entities to carry out  
3 the purposes of Washington's WorkFirst program.

4 (7) The department shall adopt rules under chapter 34.05 RCW as  
5 necessary to effectuate the intent and purpose of this chapter.

6 NEW SECTION. **Sec. 203.** A new section is added to chapter 74.25  
7 RCW to read as follows:

8 JOB SEARCH. (1) The department shall require temporary assistance  
9 for needy families recipients to engage in initial and ongoing job  
10 search. Failure to participate in the job search component shall  
11 result in sanctions under section 204 of this act.

12 (2) The Washington WorkFirst program shall include an initial job  
13 search component in which each nonexempt recipient of temporary  
14 assistance for needy families shall participate. The initial job  
15 search component will last four weeks for each recipient. Each  
16 recipient shall be required to attend initial job search component  
17 activities at least thirty hours per week. The initial job search  
18 component shall serve as an assessment tool to determine a recipient's  
19 employability. If a recipient fails to find paid employment during the  
20 initial job search component, the department may refer the recipient to  
21 those work activities that are directly related to improving the  
22 recipient's employability. Priority shall be given to work activities  
23 that simulate the work environment.

24 (3) As used in this section, "initial job search" means an activity  
25 in which nonexempt recipients engage each weekday upon entering the  
26 Washington WorkFirst program. The component shall provide classroom  
27 instruction and a minimum of fifteen hours per week of structured,  
28 individual job search activities.

29 (a) Individual job search shall include individual and group  
30 activities.

31 (b) Job search instruction shall be structured in such a way as to  
32 replicate the demands of a work environment. It shall include, at a  
33 minimum, information on how to apply for work, the current labor  
34 market, and available work force development resources.

35 (4) Ongoing job search shall include regular, structured work  
36 search and weekly reporting of work search plans and results.

1           NEW SECTION.   **Sec. 204.**   A new section is added to chapter 74.08  
2 RCW to read as follows:

3           SANCTIONS FOR NONCOOPERATION. Cooperation with the requirements of  
4 Washington's WorkFirst program is required, unless exempt under this  
5 title. Failure to cooperate, absent good cause, shall result in  
6 sanctions, including but not limited to, reductions of the family's  
7 cash assistance grant. The department shall adopt by rule, standards  
8 for the imposition of such sanctions.

9           NEW SECTION.   **Sec. 205.**   A new section is added to chapter 74.25  
10 RCW to read as follows:

11           WORKFIRST--SERVICE AREAS--PROGRAMS. (1) The legislature finds that  
12 moving those eligible for assistance to self-sustaining employment is  
13 a goal of the WorkFirst program. It is the intent of WorkFirst to aid  
14 a participant's progress to self-sufficiency by allowing flexibility  
15 within the state-wide program to reflect community resources, the local  
16 characteristics of the labor market, and the composition of the  
17 caseload. Program success will be enhanced through effective  
18 coordination at regional and local levels, involving employers, labor  
19 representatives, educators, community leaders, local governments, and  
20 social service providers.

21           (2) The secretary shall establish WorkFirst service areas for  
22 purposes of planning WorkFirst programs and for distributing WorkFirst  
23 resources. Service areas shall reflect identifiable labor markets.

24           (3) By July 31st of each odd-numbered year, a plan for the  
25 WorkFirst program shall be developed for each service area. The plan  
26 shall be prepared in consultation with local and regional sources,  
27 adapting the state-wide WorkFirst program to achieve maximum effect for  
28 the participants and the communities within which they reside. Local  
29 consultation shall include to the greatest extent possible input from  
30 local and regional planning bodies for social services and work force  
31 development. The regional and local administrator shall consult with  
32 employers of various sizes, labor representatives, training and  
33 education providers, program participants, economic development  
34 organizations, community organizations, tribes, and local governments  
35 in the preparation of the service area plan.

36           (4) The secretary shall have final authority in plan approval or  
37 modification. Local program implementation may deviate from the state-  
38 wide program if specified in a service area plan, as approved by the

1 secretary. The local service area plans may adjust the temporary  
2 assistance for needy families cash grant for participants in that area,  
3 under RCW 74.04.770, and an adjustment to the grant may not exceed five  
4 percent of the state-wide grant established by the secretary. Local  
5 administrators may adapt service delivery to reflect local labor market  
6 and caseload characteristics, consistent with the service area plan, as  
7 approved by the secretary.

8 **Sec. 206.** RCW 74.04.770 and 1983 1st ex.s. c 41 s 38 are each  
9 amended to read as follows:

10 The department shall establish consolidated standards of need each  
11 fiscal year which may vary by geographical areas, program, and family  
12 size, for ~~((aid to families with dependent children))~~ temporary  
13 assistance for needy families, refugee assistance, supplemental  
14 security income, and general assistance. Standards for ~~((aid to~~  
15 ~~families with dependent children))~~ temporary assistance for needy  
16 families, refugee assistance, and general assistance shall be based on  
17 studies of actual living costs and generally recognized inflation  
18 indices and shall include reasonable allowances for shelter, fuel,  
19 food, transportation, clothing, household maintenance and operations,  
20 personal maintenance, and necessary incidentals. The standard of need  
21 may take into account the economies of joint living arrangements, but  
22 unless explicitly required by federal statute, there shall not be  
23 proration of any portion of assistance grants unless the amount of the  
24 grant standard is equal to the standard of need.

25 The department is authorized to establish rateable reductions and  
26 grant maximums consistent with federal law. Further, the department  
27 may adjust payment standards, within each WorkFirst service area, by up  
28 to five percent, either up or down, to reflect labor market conditions,  
29 resources needed to support work and mobilize and leverage local  
30 resources, or cost-of-living differences within local geographic areas.

31 Payment level will be equal to need or a lesser amount if rateable  
32 reductions or grant maximums are imposed. In no case shall a recipient  
33 of supplemental security income receive a state supplement less than  
34 the minimum required by federal law.

35 The department may establish a separate standard for shelter  
36 provided at no cost.

1        NEW SECTION.    **Sec. 207.**    A new section is added to chapter 74.25  
2    RCW to read as follows:

3        WORKER PROTECTIONS.    (1) Recipients of public assistance who  
4    participate in WorkFirst activities shall be entitled to certain  
5    protections as provided in this section.    In addition, the department  
6    shall ensure, according to the criteria in this section, that existing  
7    workers are not displaced from employment as a result of the  
8    participation of public assistance recipients in department-mandated or  
9    authorized WorkFirst activities.

10        (2) Work positions, paid or unpaid, held by public assistance  
11    recipients as a department-authorized WorkFirst activity shall not be  
12    created as the result of, nor result in, any of the following:

13        (a) The filling of a position created by termination, layoff, or  
14    work force reduction;

15        (b) The filling of positions that would otherwise be promotional  
16    opportunities for current employees;

17        (c) The filling of a position before compliance with applicable  
18    personnel procedures or provisions of collective bargaining agreements;

19        (d) The filling of a work assignment customarily performed by a  
20    worker in a job classification within a recognized collective  
21    bargaining unit in that specific work site, or the filling of a work  
22    assignment in any bargaining unit in which regular employees are on  
23    layoff;

24        (e) A strike, lockout, or other bona fide labor dispute, or  
25    violation of any existing collective bargaining agreement between  
26    employees and employers; or

27        (f) Decertification of any collective bargaining unit.

28        (3) Participants in WorkFirst activities who receive a wage shall  
29    be deemed employees, and as such shall be paid and receive benefits in  
30    accordance with local, state, and federal law governing occupational  
31    health and safety, minimum wage standards, worker compensation  
32    insurance, and unemployment insurance.

33        (4) A participant who does not receive a wage should not be  
34    required to participate in WorkFirst activities, other than job search,  
35    for a number of hours greater than participant's monthly temporary  
36    assistance for needy families benefit divided by the greater of the  
37    state or federal minimum wage.

38        (5) Participants in WorkFirst activities who do not receive a wage  
39    shall be deemed employees for purposes of medical aid benefits under

1 chapter 51.36 RCW and in accordance with local, state, and federal law  
2 shall be covered by appropriate occupational health and safety  
3 regulations. The agency or organization that provides the position  
4 shall be the employer and, as such any and all premiums or assessments  
5 due in relation to such benefits are the obligation of and shall be  
6 paid by the agency.

7 (6) Subsection (2) of this section does not apply to public  
8 assistance recipients who secure unsubsidized paid employment outside  
9 of WorkFirst.

10 (7) WorkFirst employment positions shall not in any way be related  
11 to political, electoral, partisan, or religious activities.

12 NEW SECTION. **Sec. 208.** A new section is added to chapter 74.25  
13 RCW to read as follows:

14 COMMUNITY JOBS AND SUBSIDIZED EMPLOYMENT PROGRAMS. (1) The  
15 department shall establish the community jobs program and the  
16 subsidized employment program within WorkFirst to provide recipients of  
17 temporary assistance for needy families valuable work experience,  
18 increase their labor market participation, and meet business and  
19 community needs.

20 (2) The community jobs program shall provide work opportunities  
21 through nonprofit corporations. This shall be a mandatory program as  
22 determined by the department.

23 (a) The department shall contract with local nonprofit corporations  
24 for the operation of these programs. The contractor shall be  
25 responsible for identifying work sites, referring recipients to work  
26 sites, and providing support for recipients as necessary. The  
27 contractor shall be considered the employer of the participant.

28 (b) The contractor shall receive the temporary assistance for needy  
29 families recipient's monthly benefit allotment and an additional  
30 payment, which together will cover the participant's wages, job  
31 development, employee counseling, and administrative costs, including  
32 the cost of employer-paid payroll taxes. Industrial insurance and  
33 other applicable federal payroll taxes shall be deducted from wages  
34 received by the employee.

35 (c) In lieu of a grant from the department, the recipient shall  
36 receive wages from the contractor.

37 (d) In identifying recipients to place in the program, the  
38 department shall target recipients who have limited prior work

1 experience; have low educational attainment; have children older than  
2 two years of age; or have received public assistance for at least six  
3 months.

4 (e) A temporary assistance for needy families recipient may  
5 participate in the community jobs program for twelve months. At the  
6 discretion of the department, the referral to community jobs may be  
7 renewed. This section does not exempt the participant from mandatory,  
8 ongoing job search requirements.

9 (3) The department may use cash grants as a wage subsidy in order  
10 to provide full-time employment opportunities in the private sector for  
11 temporary assistance for needy families recipients. In no case will  
12 the wage subsidy exceed the value of the cash grant for which the  
13 participant would be eligible through temporary assistance for needy  
14 families. This shall be a voluntary program and no person will be  
15 sanctioned by the department for failure to participate.

16 (a) The department shall adopt rules establishing the criteria for  
17 employer participation and the participation of recipients of temporary  
18 assistance for needy families in the wage subsidy program. Once the  
19 recipient is hired, the wage subsidy shall be authorized for up to nine  
20 months.

21 (b) In developing job opportunities through the subsidized  
22 employment program, the department shall give priority to jobs with a  
23 career ladder or reasonable opportunity for wage increases, either with  
24 the subsidized employer or with another employer in the same industrial  
25 sector. At the end of the subsidized employment, it is expected that  
26 the employee be maintained in full-time, unsubsidized employment by the  
27 employer.

28 (4) Participants in the community jobs program and the wage subsidy  
29 program shall remain eligible for medical benefits.

30 NEW SECTION. **Sec. 209.** A new section is added to chapter 74.04  
31 RCW to read as follows:

32 **OUTCOME MEASURES.** The WorkFirst program shall be evaluated through  
33 a limited number of outcome measures designed to hold each region  
34 accountable for program success. The outcomes measured used for  
35 evaluation shall include:

- 36 (1) Exits through employment;  
37 (2) Employment retention rates; measured every six months for up to  
38 two years after leaving temporary assistance for needy families;

1 (3) Reduction in average grant through increased recipient  
2 earnings; and

3 (4) Number of recipients working part time and full time.

4 NEW SECTION. **Sec. 210.** The following acts or parts of acts are  
5 each repealed:

6 (1) RCW 74.25.010 and 1994 c 299 s 6 & 1991 c 126 s 5;

7 (2) RCW 74.25.020 and 1993 c 312 s 7, 1992 c 165 s 3, & 1991 c 126  
8 s 6;

9 (3) RCW 74.25.030 and 1991 c 126 s 7;

10 (4) RCW 74.25.040 and 1994 c 299 s 8;

11 (5) RCW 74.25A.005 and 1994 c 299 s 19 & 1986 c 172 s 1;

12 (6) RCW 74.25A.010 and 1994 c 299 s 20 & 1986 c 172 s 2;

13 (7) RCW 74.25A.020 and 1994 c 299 s 21 & 1986 c 172 s 3;

14 (8) RCW 74.25A.030 and 1994 c 299 s 22 & 1986 c 172 s 4;

15 (9) RCW 74.25A.040 and 1986 c 172 s 5;

16 (10) RCW 74.25A.045 and 1994 c 299 s 23;

17 (11) RCW 74.25A.050 and 1994 c 299 s 24 & 1986 c 172 s 6;

18 (12) RCW 74.25A.060 and 1986 c 172 s 7;

19 (13) RCW 74.25A.070 and 1986 c 172 s 8; and

20 (14) RCW 74.25A.080 and 1994 c 299 s 25 & 1986 c 172 s 9.

### 21 **III. CHILD CARE**

22 NEW SECTION. **Sec. 301.** A new section is added to chapter 74.12  
23 RCW to read as follows:

24 CHILD CARE. (1) The department shall administer a child care  
25 subsidy program designed to serve families on Washington's WorkFirst  
26 program and those families who are at or below one hundred seventy-five  
27 percent of the federal poverty level.

28 (2) All families participating in the child care subsidy program  
29 shall have access to the child care of their choice. However, the  
30 child care providers must comply with applicable licensing rules set by  
31 the department if they are required by law to comply with these rules.

32 (3) The department shall establish the eligibility and copayment  
33 structure of the child care subsidy program.

34 (4) The department shall administer the program within available  
35 funds.

1 IV. IMMIGRANTS

2 NEW SECTION. Sec. 401. A new section is added to chapter 74.08  
3 RCW to read as follows:

4 IMMIGRANTS--ELIGIBILITY--GENERALLY. (1) The state shall exercise  
5 its option under P.L. 104-193, as amended, to provide benefits and  
6 services to legal immigrants under temporary assistance for needy  
7 families, medicaid, and social services block grant programs.

8 (2) The department may provide state-funded cash, food, and medical  
9 assistance to legal immigrants who are not eligible for federal  
10 benefits due to their immigrant status and the provisions of P.L. 104-  
11 193.

12 (3) Legal immigrants who are not eligible for the supplemental  
13 security income program as a result of P.L. 104-193 are eligible to  
14 apply for benefits under the state's general assistance programs. The  
15 department shall redetermine income and resource eligibility at least  
16 annually, in accordance with existing state policy.

17 NEW SECTION. Sec. 402. A new section is added to chapter 74.08  
18 RCW to read as follows:

19 IMMIGRANTS--STATE CASH AND MEDICAL PROGRAMS. (1) The department  
20 may provide state-funded cash and medical assistance to legal  
21 immigrants including those permanently residing in the United States  
22 under color of law who are not eligible under federal law for the  
23 temporary assistance for needy families program solely due to their  
24 date of entry or their immigration status.

25 (2) Such assistance shall be provided under the same rules and in  
26 the same amount as under the temporary assistance for needy families  
27 program. Any month in which a family receives such assistance should  
28 be considered a month in which the family received temporary assistance  
29 for needy families for the purpose of the sixty-month time limit.

30 (3) The department may use state general assistance and state  
31 medical care services funds as may be appropriated to provide such  
32 benefits.

33 (4) The department may provide state-funded medical care services,  
34 including long-term care, to legal immigrants including those  
35 permanently residing in the United States under color of law who are  
36 not eligible under federal law for the federal medicaid program solely  
37 due to their date of entry or their immigration status.

1           NEW SECTION.   **Sec. 403.**   A new section is added to chapter 74.08  
2 RCW to read as follows:

3           IMMIGRANTS--FOOD ASSISTANCE.   (1) The department may establish a  
4 state-funded food assistance program for legal immigrants who do not  
5 qualify for federal food stamps solely due to the immigrant exclusions  
6 under P.L. 104-193. The rules and benefit amounts for the state food  
7 assistance program shall be the same as in the federal food stamp  
8 program.

9           (2) The department shall enter into a contract with the United  
10 States department of agriculture to use the existing federal food stamp  
11 program coupon system for the purposes of administering the state food  
12 assistance program.

13           NEW SECTION.   **Sec. 404.**   A new section is added to chapter 74.08  
14 RCW to read as follows:

15           SPONSOR-DEEMING FOR LEGAL IMMIGRANTS.   (1) Except as provided in  
16 subsection (2) of this section, in determining the eligibility and  
17 amount of benefits for state-funded general assistance or state-funded  
18 food stamps, the department may provide that the income and resources  
19 of an alien shall be deemed to include the income and resources of any  
20 individual, and his or her spouse, who executes an affidavit of support  
21 under section 213A of the federal immigration and nationality act on  
22 behalf of the alien for a period of five years following the execution  
23 of that affidavit of support.

24           (2) The sponsor-deeming provisions of subsection (1) of this  
25 section do not apply to the following:

26           (a) An alien who has worked forty qualifying quarters of coverage  
27 as defined under Title II of the social security act or can be credited  
28 with such qualifying quarters as provided under P.L. 104-193 Sec. 435;

29           (b) An alien who is lawfully residing in any state and is a veteran  
30 of, or on active duty in, the armed forces of the United States, or the  
31 spouse or unmarried dependent child of such individual;

32           (c) An alien who served in the armed forces of an allied country,  
33 or was employed by an agency of the federal government, during a  
34 military conflict between the United States and a military adversary;

35           (d) Aliens who are victims of domestic violence and who petition  
36 for legal status under the federal violence against women act;

37           (e) For a period not to exceed twelve months, an alien for whom a  
38 determination has been made by the department that, in the absence of

1 the assistance provided by the department, the alien would be unable to  
2 obtain food and shelter, taking into account the alien's own income  
3 plus any cash, food, housing, or other assistance provided by other  
4 individuals including the sponsor; and

5 (f) An alien who achieves United States citizenship through  
6 naturalization pursuant to chapter 2 of Title III of the immigration  
7 and nationality act.

8 NEW SECTION. Sec. 405. A new section is added to chapter 74.08  
9 RCW to read as follows:

10 NATURALIZATION FACILITATION. The department shall make an  
11 affirmative effort to identify and contact legal immigrants receiving  
12 public assistance to facilitate their applications for naturalization.

## 13 V. STUDIES

14 NEW SECTION. Sec. 501. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
15 STUDIES. (1) The office of financial management shall contract with a  
16 qualified and objective research organization to evaluate the critical  
17 elements of the program in chapter . . . , Laws of 1997 (this act).  
18 Within available funds appropriated for this purpose, the research  
19 shall address the impact of the program in promoting self-sufficiency,  
20 in reducing poverty, and in improving the well-being of the families in  
21 this state. In addition, the evaluation shall specifically examine:

22 (a) The effectiveness of the program design and of the  
23 implementation of the program by state agencies in generating community  
24 and employer participation to address the employment and family needs  
25 of program participants;

26 (b) The impact of such components as wage subsidies and community  
27 employment and the roles of private sector and nonprofit employers in  
28 promoting unsubsidized employment;

29 (c) Participation by employed recipients and former recipients in  
30 the community college or other education and training programs and the  
31 impact of such participation;

32 (d) The impact of employment produced by the program on the labor  
33 market and on the availability of child care;

34 (e) The effectiveness of employment produced by the program in  
35 reducing poverty;

1 (f) The impact of other elements, such as diversion, the state-  
2 funded temporary assistance for needy families program, and sanctions  
3 in achieving the purposes of this program; and

4 (g) The effect of child support collections on the economic status  
5 of recipients of temporary assistance for needy families and successful  
6 collection strategies involving these families.

7 The evaluation in this section shall commence on the effective date  
8 of this section and shall be completed by June 30, 2001. The office of  
9 financial management shall ensure that reports are provided to the  
10 legislature annually before the start of the legislative session and  
11 that definitive responses to the research questions are available  
12 before the start of the 2002 legislative session.

13 (2) Exemption Characteristics. The office of financial management  
14 shall contract with a qualified and objective research organization to  
15 study carefully the characteristics of adult recipients of temporary  
16 assistance for needy families to determine the profile of recipients  
17 for whom a hardship exemption to time limits should apply or where it  
18 may be in the best interests of the state to broaden eligibility for  
19 state-funded temporary assistance for needy families. Specifically,  
20 the research shall address the extent and nature of the barriers to  
21 independence based upon the personal characteristics of adults in the  
22 temporary assistance for needy families program.

23 The office of financial management shall submit a final report on  
24 the findings of this research by December 15, 1998. This final report  
25 shall include an evaluation of the characteristics of adult recipients,  
26 including a careful estimate of the prevalence of serious disability  
27 and other barriers that may prevent self-supporting employment. The  
28 research shall provide recommendations regarding how best to establish  
29 criteria for exemptions to the five-year limit, how to establish  
30 whether an adult recipient has satisfied those criteria, and whether  
31 and in what ways the criteria for the state-funded program should be  
32 narrowed or widened.

## 33 VI. DATA SHARING

34 NEW SECTION. **Sec. 601.** It is the intent of the legislature to  
35 allow the department of social and health services access to employment  
36 security department confidential employer wage files, for statistical  
37 analysis, research, or evaluation of work force participation of

1 department of social and health services' clients. This information is  
2 needed to monitor and evaluate department client outcomes in  
3 employment, to fulfill agency performance reporting requirements of  
4 chapter 43.88 RCW, for department management in evaluating and planning  
5 for changing social needs, and in the effective development and  
6 implementation of programs to achieve goals of the department of social  
7 and health services. Chapter 50.38 RCW and federal law mandate the use  
8 of labor market information, including employment security department  
9 payroll and wage files, in the planning, coordination, management,  
10 implementation, and evaluation of state programs like those of the  
11 department of social and health services. RCW 50.13.060 requires  
12 privacy protection of personal records obtained from employment  
13 security department confidential employer wage files. Through  
14 individual matches with accessed employment security department  
15 confidential employer wage files, the department of social and health  
16 services shall report only aggregate, statistical, group level data.

17 NEW SECTION. **Sec. 602.** A new section is added to chapter 43.20A  
18 RCW to read as follows:

19 The employment security department shall provide to the department  
20 of social and health services confidential employer wage files for  
21 statistical analysis, research, and evaluation purposes as provided in  
22 sections 604 and 605 of this act. The department of social and health  
23 services shall limit access of its agency personnel to those  
24 professional research and technical information systems personnel  
25 needed to produce and analyze wage file data.

26 NEW SECTION. **Sec. 603.** A new section is added to chapter 50.13  
27 RCW to read as follows:

28 The employment security department shall provide to the department  
29 of social and health services confidential employer wage files for  
30 statistical analysis, research, and evaluation purposes as provided in  
31 sections 604 and 605 of this act. The department of social and health  
32 services shall limit access of its agency personnel to those  
33 professional research and technical information systems personnel  
34 needed to produce and analyze wage file data.

35 NEW SECTION. **Sec. 604.** A new section is added to chapter 43.20A  
36 RCW to read as follows:

1 (1) The information provided by the employment security department  
2 under sections 602 and 603 of this act for statistical analysis,  
3 research, and evaluation purposes shall be used to measure the work  
4 force participation of department clients.

5 (2) The department shall protect the privacy of confidential  
6 personal data supplied under sections 602 and 603 of this act  
7 consistent with chapter 50.13 RCW and the terms and conditions of a  
8 formal data-sharing agreement between the two departments. The misuse  
9 or unauthorized use of confidential data supplied by the employment  
10 security department is subject to the penalties in RCW 50.13.080.

11 NEW SECTION. **Sec. 605.** A new section is added to chapter 50.13  
12 RCW to read as follows:

13 (1) The information provided by the employment security department  
14 under sections 602 and 603 of this act for statistical analysis,  
15 research, and evaluation purposes shall be used to measure the work  
16 force participation of department clients.

17 (2) The department shall protect the privacy of confidential  
18 personal data supplied under sections 602 and 603 of this act  
19 consistent with chapter 50.13 RCW and the terms and conditions of a  
20 formal data-sharing agreement between the two departments. The misuse  
21 or unauthorized use of confidential data supplied by the employment  
22 security department is subject to the penalties in RCW 50.13.080.

23 **VII. MISCELLANEOUS**

24 NEW SECTION. **Sec. 701.** A new section is added to chapter 74.12  
25 RCW to read as follows:

26 EARNINGS DISREGARDS AND EARNED INCOME CUTOFFS. (1) In addition to  
27 their monthly benefit payment, a family may earn and keep one-half of  
28 its earnings during every month it is eligible to receive assistance  
29 under this section.

30 (2) In no event may a family be eligible for temporary assistance  
31 for needy families if its monthly gross earned income exceeds the  
32 maximum earned income level as set by the department. In calculating  
33 a household's gross earnings, the department shall disregard the  
34 earnings of a minor child who is:

35 (a) A full-time student; or

1 (b) A part-time student carrying at least half the normal school  
2 load and working fewer than thirty-five hours per week.

3 **Sec. 702.** RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are  
4 each reenacted and amended to read as follows:

5 For the purposes of this title, unless the context indicates  
6 otherwise, the following definitions shall apply:

7 (1) "Public assistance" or "assistance"«Public aid to persons in  
8 need thereof for any cause, including services, medical care,  
9 assistance grants, disbursing orders, work relief, general assistance  
10 and federal-aid assistance.

11 (2) "Department"«The department of social and health services.

12 (3) "County or local office"«The administrative office for one or  
13 more counties or designated service areas.

14 (4) "Director" or "secretary" means the secretary of social and  
15 health services.

16 (5) "Federal-aid assistance"«The specific categories of assistance  
17 for which provision is made in any federal law existing or hereafter  
18 passed by which payments are made from the federal government to the  
19 state in aid or in respect to payment by the state for public  
20 assistance rendered to any category of needy persons for which  
21 provision for federal funds or aid may from time to time be made, or a  
22 federally administered needs-based program.

23 (6)(a) "General assistance"«Aid to persons in need who:

24 (i) Are not eligible to receive federal-aid assistance, other than  
25 food stamps and medical assistance; however, an individual who refuses  
26 or fails to cooperate in obtaining federal-aid assistance, without good  
27 cause, is not eligible for general assistance;

28 (ii) Meet one of the following conditions:

29 (A) Pregnant: PROVIDED, That need is based on the current income  
30 and resource requirements of the federal ~~((aid to families with  
31 dependent children))~~ temporary assistance for needy families program~~((  
32 PROVIDED FURTHER, That during any period in which an aid for dependent  
33 children employable program is not in operation, only those pregnant  
34 women who are categorically eligible for medicaid are eligible for  
35 general assistance))~~; or

36 (B) Subject to chapter 165, Laws of 1992, incapacitated from  
37 gainful employment by reason of bodily or mental infirmity that will

1 likely continue for a minimum of ninety days as determined by the  
2 department.

3 (C) Persons who are unemployable due to alcohol or drug addiction  
4 are not eligible for general assistance. Persons receiving general  
5 assistance on July 26, 1987, or becoming eligible for such assistance  
6 thereafter, due to an alcohol or drug-related incapacity, shall be  
7 referred to appropriate assessment, treatment, shelter, or supplemental  
8 security income referral services as authorized under chapter 74.50  
9 RCW. Referrals shall be made at the time of application or at the time  
10 of eligibility review. Alcoholic and drug addicted clients who are  
11 receiving general assistance on July 26, 1987, may remain on general  
12 assistance if they otherwise retain their eligibility until they are  
13 assessed for services under chapter 74.50 RCW. Subsection  
14 (6)(a)(ii)(B) of this section shall not be construed to prohibit the  
15 department from granting general assistance benefits to alcoholics and  
16 drug addicts who are incapacitated due to other physical or mental  
17 conditions that meet the eligibility criteria for the general  
18 assistance program;

19 (iii) Are citizens or aliens lawfully admitted for permanent  
20 residence or otherwise residing in the United States under color of  
21 law; and

22 (iv) Have furnished the department their social security account  
23 number. If the social security account number cannot be furnished  
24 because it has not been issued or is not known, an application for a  
25 number shall be made prior to authorization of assistance, and the  
26 social security number shall be provided to the department upon  
27 receipt.

28 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),  
29 and (c) of this section, general assistance shall be provided to the  
30 following recipients of federal-aid assistance:

31 (i) Recipients of supplemental security income whose need, as  
32 defined in this section, is not met by such supplemental security  
33 income grant because of separation from a spouse; or

34 (ii) To the extent authorized by the legislature in the biennial  
35 appropriations act, to recipients of ~~((aid to families with dependent  
36 children))~~ temporary assistance for needy families whose needs are not  
37 being met because of a temporary reduction in monthly income below the  
38 entitled benefit payment level caused by loss or reduction of wages or  
39 unemployment compensation benefits or some other unforeseen

1 circumstances. The amount of general assistance authorized shall not  
2 exceed the difference between the entitled benefit payment level and  
3 the amount of income actually received.

4 (c) General assistance shall be provided only to persons who are  
5 not members of assistance units receiving federal aid assistance,  
6 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,  
7 and will accept available services which can reasonably be expected to  
8 enable the person to work or reduce the need for assistance unless  
9 there is good cause to refuse. Failure to accept such services shall  
10 result in termination until the person agrees to cooperate in accepting  
11 such services and subject to the following maximum periods of  
12 ineligibility after reapplication:

13 (i) First failure: One week;

14 (ii) Second failure within six months: One month;

15 (iii) Third and subsequent failure within one year: Two months.

16 (d) Persons found eligible for general assistance based on  
17 incapacity from gainful employment may, if otherwise eligible, receive  
18 general assistance pending application for federal supplemental  
19 security income benefits. Any general assistance that is subsequently  
20 duplicated by the person's receipt of supplemental security income for  
21 the same period shall be considered a debt due the state and shall by  
22 operation of law be subject to recovery through all available legal  
23 remedies.

24 (e) The department shall adopt by rule medical criteria for general  
25 assistance eligibility to ensure that eligibility decisions are  
26 consistent with statutory requirements and are based on clear,  
27 objective medical information.

28 (f) The process implementing the medical criteria shall involve  
29 consideration of opinions of the treating or consulting physicians or  
30 health care professionals regarding incapacity, and any eligibility  
31 decision which rejects uncontroverted medical opinion must set forth  
32 clear and convincing reasons for doing so.

33 (g) Recipients of general assistance based upon a finding of  
34 incapacity from gainful employment who remain otherwise eligible shall  
35 not have their benefits terminated absent a clear showing of material  
36 improvement in their medical or mental condition or specific error in  
37 the prior determination that found the recipient eligible by reason of  
38 incapacitation. Recipients of general assistance based upon pregnancy  
39 who relinquish their child for adoption, remain otherwise eligible, and

1 are not eligible to receive benefits under the federal (~~aid to~~  
2 ~~families with dependent children~~) temporary assistance for needy  
3 families program shall not have their benefits terminated until the end  
4 of the month in which the period of six weeks following the birth of  
5 the recipient's child falls. Recipients of the federal (~~aid to~~  
6 ~~families with dependent children~~) temporary assistance for needy  
7 families program who lose their eligibility solely because of the birth  
8 and relinquishment of the qualifying child may receive general  
9 assistance through the end of the month in which the period of six  
10 weeks following the birth of the child falls.

11 (7) "Applicant"«Any person who has made a request, or on behalf of  
12 whom a request has been made, to any county or local office for  
13 assistance.

14 (8) "Recipient"«Any person receiving assistance and in addition  
15 those dependents whose needs are included in the recipient's  
16 assistance.

17 (9) "Standards of assistance"«The level of income required by an  
18 applicant or recipient to maintain a level of living specified by the  
19 department.

20 (10) "Resource"«Any asset, tangible or intangible, owned by or  
21 available to the applicant at the time of application, which can be  
22 applied toward meeting the applicant's need, either directly or by  
23 conversion into money or its equivalent: PROVIDED, That an applicant  
24 may retain the following described resources and not be ineligible for  
25 public assistance because of such resources.

26 (a) A home, which is defined as real property owned and used by an  
27 applicant or recipient as a place of residence, together with a  
28 reasonable amount of property surrounding and contiguous thereto, which  
29 is used by and useful to the applicant. Whenever a recipient shall  
30 cease to use such property for residential purposes, either for himself  
31 or his dependents, the property shall be considered as a resource which  
32 can be made available to meet need, and if the recipient or his  
33 dependents absent themselves from the home for a period of ninety  
34 consecutive days such absence, unless due to hospitalization or health  
35 reasons or a natural disaster, shall raise a rebuttable presumption of  
36 abandonment: PROVIDED, That if in the opinion of three physicians the  
37 recipient will be unable to return to the home during his lifetime, and  
38 the home is not occupied by a spouse or dependent children or disabled

1 sons or daughters, such property shall be considered as a resource  
2 which can be made available to meet need.

3 (b) Household furnishings and personal effects and other personal  
4 property having great sentimental value to the applicant or recipient,  
5 as limited by the department consistent with limitations on resources  
6 and exemptions for federal aid assistance.

7 (c) A motor vehicle, other than a motor home, used and useful  
8 having an equity value not to exceed one thousand five hundred dollars.  
9 Recipients of temporary assistance for needy families may retain a  
10 motor vehicle, other than a motor home, used and useful having an  
11 equity value not to exceed five thousand dollars.

12 (d) All other resources, including any excess of values exempted,  
13 not to exceed one thousand dollars or other limit as set by the  
14 department, to be consistent with limitations on resources and  
15 exemptions necessary for federal aid assistance. The department shall  
16 also allow recipients of temporary assistance for needy families to  
17 exempt savings accounts with combined balances of up to an additional  
18 three thousand dollars.

19 (e) Applicants for or recipients of general assistance shall have  
20 their eligibility based on resource limitations consistent with the  
21 ~~((aid to families with dependent children))~~ temporary assistance for  
22 needy families program rules adopted by the department.

23 (f) If an applicant for or recipient of public assistance possesses  
24 property and belongings in excess of the ceiling value, such value  
25 shall be used in determining the need of the applicant or recipient,  
26 except that: (i) The department may exempt resources or income when  
27 the income and resources are determined necessary to the applicant's or  
28 recipient's restoration to independence, to decrease the need for  
29 public assistance, or to aid in rehabilitating the applicant or  
30 recipient or a dependent of the applicant or recipient; and (ii) the  
31 department may provide grant assistance for a period not to exceed nine  
32 months from the date the agreement is signed pursuant to this section  
33 to persons who are otherwise ineligible because of excess real property  
34 owned by such persons when they are making a good faith effort to  
35 dispose of that property: PROVIDED, That:

36 (A) The applicant or recipient signs an agreement to repay the  
37 lesser of the amount of aid received or the net proceeds of such sale;

38 (B) If the owner of the excess property ceases to make good faith  
39 efforts to sell the property, the entire amount of assistance may

1 become an overpayment and a debt due the state and may be recovered  
2 pursuant to RCW 43.20B.630;

3 (C) Applicants and recipients are advised of their right to a fair  
4 hearing and afforded the opportunity to challenge a decision that good  
5 faith efforts to sell have ceased, prior to assessment of an  
6 overpayment under this section; and

7 (D) At the time assistance is authorized, the department files a  
8 lien without a sum certain on the specific property.

9 (11) "Income"«(a) All appreciable gains in real or personal  
10 property (cash or kind) or other assets, which are received by or  
11 become available for use and enjoyment by an applicant or recipient  
12 during the month of application or after applying for or receiving  
13 public assistance. The department may by rule and regulation exempt  
14 income received by an applicant for or recipient of public assistance  
15 which can be used by him to decrease his need for public assistance or  
16 to aid in rehabilitating him or his dependents, but such exemption  
17 shall not, unless otherwise provided in this title, exceed the  
18 exemptions of resources granted under this chapter to an applicant for  
19 public assistance. In determining the amount of assistance to which an  
20 applicant or recipient of ~~((aid to families with dependent children))~~  
21 temporary assistance for needy families is entitled, the department is  
22 hereby authorized to disregard as a resource or income the earned  
23 income exemptions consistent with federal requirements. The department  
24 may permit the above exemption of earnings of a child to be retained by  
25 such child to cover the cost of special future identifiable needs even  
26 though the total exceeds the exemptions or resources granted to  
27 applicants and recipients of public assistance, but consistent with  
28 federal requirements. In formulating rules and regulations pursuant to  
29 this chapter, the department shall define income and resources and the  
30 availability thereof, consistent with federal requirements. All  
31 resources and income not specifically exempted, and any income or other  
32 economic benefit derived from the use of, or appreciation in value of,  
33 exempt resources, shall be considered in determining the need of an  
34 applicant or recipient of public assistance.

35 (b) If, under applicable federal requirements, the state has the  
36 option of considering property in the form of lump sum compensatory  
37 awards or related settlements received by an applicant or recipient as  
38 income or as a resource, the department shall consider such property to  
39 be a resource.

1 (12) "Need"«The difference between the applicant's or recipient's  
2 standards of assistance for himself and the dependent members of his  
3 family, as measured by the standards of the department, and value of  
4 all nonexempt resources and nonexempt income received by or available  
5 to the applicant or recipient and the dependent members of his family.

6 (13) For purposes of determining eligibility for public assistance  
7 and participation levels in the cost of medical care, the department  
8 shall exempt restitution payments made to people of Japanese and Aleut  
9 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian  
10 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,  
11 including all income and resources derived therefrom.

12 (14) In the construction of words and phrases used in this title,  
13 the singular number shall include the plural, the masculine gender  
14 shall include both the feminine and neuter genders and the present  
15 tense shall include the past and future tenses, unless the context  
16 thereof shall clearly indicate to the contrary.

17 NEW SECTION. **Sec. 703.** A new section is added to chapter 74.12  
18 RCW to read as follows:

19 PATERNITY ESTABLISHMENT. In order to be eligible for temporary  
20 assistance for needy families, applicants shall, at the time of  
21 application for assistance, provide the names of both parents of their  
22 child or children, whether born or unborn, unless the applicant meets  
23 good cause criteria for refusing such identification.

24 NEW SECTION. **Sec. 704.** A new section is added to chapter 74.12  
25 RCW to read as follows:

26 TRIBAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES. (1) The department  
27 may (a) coordinate with and cooperate with eligible Indian tribes that  
28 elect to operate a tribal temporary assistance for needy families  
29 program as provided for in P.L. 104-193; and (b) upon approval by the  
30 secretary of the federal department of health and human services of a  
31 tribal temporary assistance for needy families program, transfer a fair  
32 and equitable amount of the state maintenance of effort funds to the  
33 eligible Indian tribe.

34 (2) An eligible Indian tribe exercising its authority under P.L.  
35 104-193 to operate a tribal temporary assistance for needy families  
36 program as a condition of receiving state maintenance of effort funds  
37 shall operate the program on a state fiscal year basis. If a tribe

1 decides to cancel a tribal temporary assistance for needy families  
2 program, it shall notify the department no later than ninety days  
3 before the start of the state fiscal year.

4 NEW SECTION. **Sec. 705.** A new section is added to chapter 50.40  
5 RCW to read as follows:

6 (1) An individual filing a new claim for unemployment compensation  
7 shall, at the time of filing the claim, disclose whether or not the  
8 individual owes an uncollected overissuance of food stamps as defined  
9 under subsection (7) of this section. If the individual discloses that  
10 he or she owes an uncollected overissuance of food stamps and is  
11 determined to be eligible for unemployment compensation, the  
12 commissioner shall notify the state food stamp agency enforcing those  
13 obligations that the individual has been determined to be eligible for  
14 unemployment compensation.

15 (2) The commissioner shall deduct and withhold from any  
16 unemployment compensation payable to an individual who owes an  
17 uncollected overissuance of food stamps as defined under subsection (7)  
18 of this section:

19 (a) The amount specified by the individual to the commissioner to  
20 be deducted and withheld under this subsection, if neither (b) nor (c)  
21 of this subsection is applicable;

22 (b) The amount, if any, determined pursuant to an agreement  
23 submitted to the state food stamp agency under section 13(c)(3)(A) of  
24 the food stamp act of 1977; or

25 (c) Any amount otherwise required to be so deducted and withheld  
26 from such unemployment compensation pursuant section 13(c)(3)(B) of the  
27 food stamp act of 1977.

28 (3) Any amount deducted and withheld under subsection (2) of this  
29 section shall be paid by the commissioner to the appropriate state food  
30 stamp agency.

31 (4) Any amount deducted and withheld under subsection (2) of this  
32 section shall be treated for all purposes as if it were paid to the  
33 individual as unemployment compensation and paid by that individual to  
34 the state food stamp agency in satisfaction of the individual's  
35 uncollected overissuance.

36 (5) For the purposes of this section, "unemployment compensation"  
37 means any compensation payable under this chapter including amounts  
38 payable by the commissioner under an agreement under any federal law

1 providing for compensation, assistance, or allowances with respect to  
2 unemployment.

3 (6) This section applies only if appropriate arrangements have been  
4 made for reimbursement by the state food stamp agency for the  
5 administrative costs incurred by the commissioner under this section  
6 which are attributable to the repayment of uncollected overissuance to  
7 the state food stamp agency.

8 (7) "Uncollected overissuances of food stamps" as used in this  
9 section means only those obligations which are being enforced pursuant  
10 to section 13(c)(1) of the food stamp act of 1977.

11 (8) This section applies only if arrangements have been made for  
12 reimbursement by the state food stamp agency for the administrative  
13 costs incurred by the commissioner under this section which are  
14 attributable to the state food stamp agency.

#### 15 VIII. LICENSE SUSPENSION

16 NEW SECTION. **Sec. 801.** It is the intent of the legislature to  
17 provide a strong incentive for persons owing child support to make  
18 timely payments, and to cooperate with the department of social and  
19 health services to establish an appropriate schedule for the payment of  
20 any arrears. To further ensure that child support obligations are met,  
21 sections 802 through 898 of this act establish a program by which  
22 certain licenses may be suspended or not renewed if a person is one  
23 hundred eighty days or more in arrears on child support payments.

24 In the implementation and management of this program, it is the  
25 legislature's intent that the objective of the department of social and  
26 health services be to obtain payment in full of arrears, or where that  
27 is not possible, to enter into agreements with delinquent obligors to  
28 make timely support payments and make reasonable payments towards the  
29 arrears. The legislature intends that if the obligor refuses to  
30 cooperate in establishing a fair and reasonable payment schedule for  
31 arrears or refuses to make timely support payments, the department  
32 shall proceed with certification to a licensing entity or the  
33 department of licensing that the person is not in compliance with a  
34 child support order.

35 NEW SECTION. **Sec. 802.** A new section is added to chapter 74.20A  
36 RCW to read as follows:

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

9 (2) The notice of noncompliance must include the address and  
10 telephone number of the department's division of child support office  
11 that issues the notice and must inform the responsible parent that:

12 (a) The parent may request an adjudicative proceeding to contest  
13 the issue of compliance. The only issues that may be considered at the  
14 adjudicative proceeding are whether the parent is required to pay child  
15 support under a child support order and whether the parent is in  
16 compliance with that order;

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

20 (c) If the parent requests an adjudicative proceeding within twenty  
21 days of service, the department will stay action to certify the parent  
22 to the department of licensing and any licensing entity for  
23 noncompliance with a child support order pending entry of a written  
24 decision after the adjudicative proceeding;

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

30 (e) The department will stay action to certify the parent to the  
31 department of licensing and any licensing entity for noncompliance if  
32 the parent agrees to make timely payments of current support and agrees  
33 to a reasonable payment schedule for payment of the arrears. It is the  
34 parent's responsibility to contact in person or by mail the  
35 department's division of child support office indicated on the notice  
36 within twenty days of service of the notice to arrange for a payment  
37 schedule. The department may stay certification for up to thirty days  
38 after contact from a parent to arrange for a payment schedule;

1 (f) If the department certifies the responsible parent to the  
2 department of licensing and a licensing entity for noncompliance with  
3 a child support order, the licensing entity will suspend or not renew  
4 the parent's license and the department of licensing will suspend or  
5 not renew any driver's license that the parent holds until the parent  
6 provides the department of licensing and the licensing entity with a  
7 release from the department stating that the responsible parent is in  
8 compliance with the child 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 child  
13 support order, the responsible parent files a motion to modify support  
14 with the court or requests the department to amend a support obligation  
15 established by an administrative decision, the department or the court  
16 may stay action to certify the parent to the department of licensing  
17 and any licensing entity for noncompliance with a child support order.  
18 The responsible parent has the obligation to notify the department that  
19 a modification proceeding is pending and provide a copy of the motion  
20 or request for modification; and

21 (i) If the responsible parent subsequently becomes in compliance  
22 with the child support order, the department will promptly provide the  
23 parent with a release stating that the parent is in compliance with the  
24 order, and the parent may request that the licensing entity or the  
25 department of licensing reinstate the suspended license.

26 (3) A responsible parent may request an adjudicative proceeding  
27 upon service of the notice described in subsection (1) of this section.  
28 The request for an adjudicative proceeding must be received by the  
29 department within twenty days of service. The request must be in  
30 writing and indicate the current mailing address and daytime phone  
31 number, if available, of the responsible parent. The proceedings under  
32 this subsection shall be conducted in accordance with the requirements  
33 of chapter 34.05 RCW. The issues that may be considered at the  
34 adjudicative proceeding are limited to whether:

35 (a) The person named as the responsible parent is the responsible  
36 parent;

37 (b) The responsible parent is required to pay child support under  
38 a child support order; and

39 (c) The responsible parent is in compliance with the order.

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

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

18 (6) If a responsible parent timely requests an adjudicative  
19 proceeding pursuant to subsection (4) of this section, the department  
20 may not certify the name of the parent to the department of licensing  
21 or a licensing entity for noncompliance with a child support order  
22 unless the adjudicative proceeding results in a finding that the  
23 responsible parent is not in compliance with the order.

24 (7) The department may certify to the department of licensing and  
25 any appropriate licensing entity the name of a responsible parent who  
26 is not in compliance with a child support order if:

27 (a) The responsible parent does not timely request an adjudicative  
28 proceeding upon service of a notice issued under subsection (1) of this  
29 section and is not in compliance with a child support order twenty-one  
30 days after service of the notice;

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

33 (c) The court enters a judgment on a petition for judicial review  
34 that finds the responsible parent is not in compliance with a child  
35 support order;

36 (d) The department and the responsible parent have been unable to  
37 agree on a fair and reasonable schedule of payment of the arrears; or

38 (e) The responsible parent fails to comply with a payment schedule  
39 established pursuant to subsection (5) of this section.

1 The department shall send by regular mail a copy of any  
2 certification of noncompliance filed with the department of licensing  
3 or a licensing entity to the responsible parent at the responsible  
4 parent's most recent address of record.

5 (8) The department of licensing and a licensing entity shall,  
6 without undue delay, notify a responsible parent certified by the  
7 department under subsection (7) of this section that the parent's  
8 driver's license or other license has been suspended because the  
9 parent's name has been certified by the department as a responsible  
10 parent who is not in compliance with a child support order.

11 (9) When a responsible parent who is served notice under subsection  
12 (1) of this section subsequently complies with the child support order,  
13 the department shall promptly provide the parent with a release stating  
14 that the responsible parent is in compliance with the order. A copy of  
15 the release shall be transmitted by the department to the appropriate  
16 licensing entities.

17 (10) The department may adopt rules to implement and enforce the  
18 requirements of this section.

19 (11) Nothing in this section prohibits a responsible parent from  
20 filing a motion to modify support with the court or from requesting the  
21 department to amend a support obligation established by an  
22 administrative decision. If there is a reasonable likelihood that the  
23 motion or request will significantly change the amount of the child  
24 support obligation, the department or the court may stay action to  
25 certify the responsible parent to the department of licensing and any  
26 licensing entity for noncompliance with a child support order. The  
27 responsible parent has the obligation to notify the department that a  
28 modification proceeding is pending and provide a copy of the motion or  
29 request for modification.

30 (12) The department of licensing and a licensing entity may issue,  
31 renew, reinstate, or otherwise extend a license in accordance with the  
32 licensing entity's or the department of licensing's rules after the  
33 licensing entity or the department of licensing receives a copy of the  
34 release specified in subsection (9) of this section. The department of  
35 licensing and a licensing entity may waive any applicable requirement  
36 for reissuance, renewal, or other extension if it determines that the  
37 imposition of that requirement places an undue burden on the person and  
38 that waiver of the requirement is consistent with the public interest.

1 (13) The procedures in chapter . . . , Laws of 1997 (this act),  
2 constitute the exclusive administrative remedy for contesting the  
3 establishment of noncompliance with a child support order and  
4 suspension of a license under this section, and satisfy the  
5 requirements of RCW 34.05.422.

6 NEW SECTION. **Sec. 803.** A new section is added to chapter 74.20A  
7 RCW to read as follows:

8 (1) The department and all of the various licensing entities  
9 subject to section 802 of this act shall enter into such agreements as  
10 are necessary to carry out the requirements of the license suspension  
11 program established in section 802 of this act.

12 (2) The department and all licensing entities subject to section  
13 802 of this act shall compare data to identify responsible parents who  
14 may be subject to the provisions of chapter . . . , Laws of 1997 (this  
15 act). The comparison may be conducted electronically, or by any other  
16 means that is jointly agreeable between the department and the  
17 particular licensing entity. The data shared shall be limited to those  
18 items necessary to implementation of chapter . . . , Laws of 1997 (this  
19 act). The purpose of the comparison shall be to identify current  
20 licensees who are not in compliance with a child support order, and to  
21 provide to the department the following information regarding those  
22 licensees:

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

32 NEW SECTION. **Sec. 804.** A new section is added to chapter 74.20A  
33 RCW to read as follows:

34 In furtherance of the public policy of increasing collection of  
35 child support and to assist in evaluation of the program established in  
36 section 802 of this act, the department shall report the following to

1 the legislature and the governor on December 1, 1998, and annually  
2 thereafter:

3 (1) The number of responsible parents identified as licensees  
4 subject to section 802 of this act;

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

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

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

11 (5) The number of adjudicative proceedings held, and the results of  
12 the adjudicative proceedings;

13 (6) The number of responsible parents certified to the department  
14 of licensing or licensing entities for noncompliance with a child  
15 support order, and the number of each type of licenses that were  
16 suspended;

17 (7) The costs incurred in the implementation and enforcement of  
18 section 802 of this act and an estimate of the amount of child support  
19 collected due to the department under section 802 of this act;

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

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

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

27 **Sec. 805.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each  
28 amended to read as follows:

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

32 (1) "Department" means the state department of social and health  
33 services.

34 (2) "Secretary" means the secretary of the department of social and  
35 health services, (~~his~~) the secretary's designee or authorized  
36 representative.

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

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

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

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

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

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

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

29 (8) "Stepparent" means the present spouse of the person who is  
30 either the mother, father, or adoptive parent of a dependent child, and  
31 such status shall exist until terminated as provided for in RCW  
32 26.16.205.

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

38 (10) "Support debt" means any delinquent amount of support moneys  
39 which is due, owing, and unpaid under a superior court order or an

1 administrative order, a debt for the payment of expenses for the  
2 reasonable or necessary care, support, and maintenance, including  
3 medical expenses, of a dependent child or other person for whom a  
4 support obligation is owed; or a debt under RCW 74.20A.100 or  
5 74.20A.270. Support debt also includes any accrued interest, fees, or  
6 penalties charged on a support debt, and attorneys fees and other costs  
7 of litigation awarded in an action to establish and enforce a support  
8 obligation or debt.

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

12 (12) "Account" means a demand deposit account, checking or  
13 negotiable withdrawal order account, savings account, time deposit  
14 account, or money-market mutual fund account.

15 (13) "Child support order" means a superior court order or an  
16 administrative order.

17 (14) "Financial institution" means:

18 (a) A depository institution, as defined in section 3(c) of the  
19 federal deposit insurance act;

20 (b) An institution-affiliated party, as defined in section 3(u) of  
21 the federal deposit insurance act;

22 (c) Any federal or state credit union, as defined in section 101 of  
23 the federal credit union act, including an institution-affiliated party  
24 of such credit union, as defined in section 206(r) of the federal  
25 deposit insurance act; or

26 (d) Any benefit association, insurance company, safe deposit  
27 company, money-market mutual fund, or similar entity.

28 (15) "License" means a license, certificate, registration, permit,  
29 approval, or other similar document issued by a licensing entity to a  
30 licensee evidencing admission to or granting authority to engage in a  
31 profession, occupation, business, industry, recreational pursuit, or  
32 the operation of a motor vehicle.

33 (16) "Licensee" means any individual holding a license,  
34 certificate, registration, permit, approval, or other similar document  
35 issued by a licensing entity evidencing admission to or granting  
36 authority to engage in a profession, occupation, business, industry,  
37 recreational pursuit, or the operation of a motor vehicle.

38 (17) "Licensing entity" includes any department, board, commission,  
39 or other organization authorized to issue, renew, suspend, or revoke a

1 license authorizing an individual to engage in a business, occupation,  
2 profession, industry, recreational pursuit, or the operation of a motor  
3 vehicle, and includes the Washington state supreme court, to the extent  
4 that a rule has been adopted by the court to implement suspension of  
5 licenses related to the practice of law.

6 (18) "Noncompliance with a child support order" for the purposes of  
7 the license suspension program authorized under section 802 of this act  
8 means a responsible parent has:

9 (a) Accumulated arrears totaling more than six months of child  
10 support payments;

11 (b) Failed to make payments pursuant to a written agreement with  
12 the department towards a support arrearage in an amount that exceeds  
13 six months of payments; or

14 (c) Failed to make payments required by a superior court order or  
15 administrative order towards a support arrearage in an amount that  
16 exceeds six months of payments.

17 **Sec. 806.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to  
18 read as follows:

19 The department is authorized to suspend the license of a driver  
20 upon a showing by its records or other sufficient evidence that the  
21 licensee:

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

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

27 (3) Has been convicted of offenses against traffic regulations  
28 governing the movement of vehicles, or found to have committed traffic  
29 infractions, with such frequency as to indicate a disrespect for  
30 traffic laws or a disregard for the safety of other persons on the  
31 highways;

32 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);  
33 ((~~or~~))

34 (5) Has failed to respond to a notice of traffic infraction, failed  
35 to appear at a requested hearing, violated a written promise to appear  
36 in court, or has failed to comply with the terms of a notice of traffic  
37 infraction or citation, as provided in RCW 46.20.289; ((~~or~~))

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

3 (7) Has been certified by the department of social and health  
4 services as a person who is not in compliance with a child support  
5 order as provided in section 802 of this act.

6 **Sec. 807.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to  
7 read as follows:

8 (1) The department shall not suspend a driver's license or  
9 privilege to drive a motor vehicle on the public highways for a fixed  
10 period of more than one year, except as specifically permitted under  
11 RCW 46.20.342 or other provision of law. Except for a suspension under  
12 RCW 46.20.289 ((and)), 46.20.291(5), or section 802 of this act,  
13 whenever the license or driving privilege of any person is suspended by  
14 reason of a conviction, a finding that a traffic infraction has been  
15 committed, pursuant to chapter 46.29 RCW, or pursuant to RCW 46.20.291  
16 or 46.20.308, the suspension shall remain in effect until the person  
17 gives and thereafter maintains proof of financial responsibility for  
18 the future as provided in chapter 46.29 RCW. If the suspension is the  
19 result of a violation of RCW 46.61.502 or 46.61.504, the department  
20 shall determine the person's eligibility for licensing based upon the  
21 reports provided by the alcoholism agency or probation department  
22 designated under RCW 46.61.5056 and shall deny reinstatement until  
23 enrollment and participation in an approved program has been  
24 established and the person is otherwise qualified. Whenever the  
25 license or driving privilege of any person is suspended as a result of  
26 certification of noncompliance with a child support order under chapter  
27 74.20A RCW, the suspension shall remain in effect until the person  
28 provides a release issued by the department of social and health  
29 services stating that the person is in compliance with the order. The  
30 department shall not issue to the person a new, duplicate, or renewal  
31 license until the person pays a reissue fee of twenty dollars. If the  
32 suspension is the result of a violation of RCW 46.61.502 or 46.61.504,  
33 or is the result of administrative action under RCW 46.20.308, the  
34 reissue fee shall be fifty dollars.

35 (2) Any person whose license or privilege to drive a motor vehicle  
36 on the public highways has been revoked, unless the revocation was for  
37 a cause which has been removed, is not entitled to have the license or  
38 privilege renewed or restored until: (a) After the expiration of one

1 year from the date the license or privilege to drive was revoked; (b)  
2 after the expiration of the applicable revocation period provided by  
3 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for  
4 persons convicted of vehicular homicide; or (d) after the expiration of  
5 the applicable revocation period provided by RCW 46.20.265. After the  
6 expiration of the appropriate period, the person may make application  
7 for a new license as provided by law together with a reissue fee in the  
8 amount of twenty dollars, but if the revocation is the result of a  
9 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee  
10 shall be fifty dollars. If the revocation is the result of a violation  
11 of RCW 46.61.502 or 46.61.504, the department shall determine the  
12 person's eligibility for licensing based upon the reports provided by  
13 the alcoholism agency or probation department designated under RCW  
14 46.61.5056 and shall deny reissuance of a license, permit, or privilege  
15 to drive until enrollment and participation in an approved program has  
16 been established and the person is otherwise qualified. Except for a  
17 revocation under RCW 46.20.265, the department shall not then issue a  
18 new license unless it is satisfied after investigation of the driving  
19 ability of the person that it will be safe to grant the privilege of  
20 driving a motor vehicle on the public highways, and until the person  
21 gives and thereafter maintains proof of financial responsibility for  
22 the future as provided in chapter 46.29 RCW. For a revocation under  
23 RCW 46.20.265, the department shall not issue a new license unless it  
24 is satisfied after investigation of the driving ability of the person  
25 that it will be safe to grant that person the privilege of driving a  
26 motor vehicle on the public highways.

27 (3) Whenever the driver's license of any person is suspended  
28 pursuant to Article IV of the nonresident violators compact or RCW  
29 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue  
30 to the person any new or renewal license until the person pays a  
31 reissue fee of twenty dollars. If the suspension is the result of a  
32 violation of the laws of this or any other state, province, or other  
33 jurisdiction involving (a) the operation or physical control of a motor  
34 vehicle upon the public highways while under the influence of  
35 intoxicating liquor or drugs, or (b) the refusal to submit to a  
36 chemical test of the driver's blood alcohol content, the reissue fee  
37 shall be fifty dollars.

1        NEW SECTION.    **Sec. 808.**    A new section is added to chapter 48.22  
2    RCW to read as follows:

3        If a motor vehicle liability insurance policy contains any  
4    provision excluding insurance coverage for an unlicensed driver, such  
5    provision shall not apply for ninety days from the date of suspension  
6    in the event that the department of licensing suspends a driver's  
7    license solely for the nonpayment of child support as provided in  
8    chapter 74.20A RCW.

9        NEW SECTION.    **Sec. 809.**    ATTORNEYS.    The legislature intends that  
10   the license suspension program established in chapter 74.20A RCW be  
11   implemented fairly to ensure that child support obligations are met.  
12   However, being mindful of the separations of powers and  
13   responsibilities among the branches of government, the legislature  
14   strongly encourages the state supreme court to adopt rules providing  
15   for suspension and denial of licenses related to the practice of law to  
16   those individuals who are in noncompliance with a support order.

17       NEW SECTION.    **Sec. 810.**    A new section is added to chapter 2.48 RCW  
18   to read as follows:

19       ATTORNEYS.    The Washington state supreme court may provide by rule  
20   that no person who has been certified by the department of social and  
21   health services as a person who is in noncompliance with a support  
22   order as provided in section 802 of this act may be admitted to the  
23   practice of law in this state, and that any member of the Washington  
24   state bar association who has been certified by the department of  
25   social and health services as a person who is in noncompliance with a  
26   support order as provided in section 802 of this act shall be  
27   immediately suspended from membership.    The court's rules may provide  
28   for review of an application for admission or reinstatement of  
29   membership after the department of social and health services has  
30   issued a release stating that the person is in compliance with the  
31   order.

32       NEW SECTION.    **Sec. 811.**    A new section is added to chapter 18.04  
33   RCW to read as follows:

34       The board shall immediately suspend the certificate or license of  
35   a person who has been certified pursuant to section 802 of this act by  
36   the department of social and health services as a person who is not in

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

7 **Sec. 812.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to  
8 read as follows:

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

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

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

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

23 **Sec. 813.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to  
24 read as follows:

25 (1) Except as provided in section 815 of this act, a certificate of  
26 registration shall be granted by the director to all qualified  
27 applicants who are certified by the board as having passed the required  
28 examination and as having given satisfactory proof of completion of the  
29 required experience.

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

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

36 (a) Have an accredited architectural degree and three years'  
37 practical architectural work experience approved by the board, which

1 may include designing buildings as a principal activity. At least two  
2 years' work experience must be supervised by an architect with detailed  
3 professional knowledge of the work of the applicant;

4 (b) Have eight years' practical architectural work experience  
5 approved by the board. Each year spent in an accredited architectural  
6 program approved by the board shall be considered one year of practical  
7 experience. At least four years' practical work experience shall be  
8 under the direct supervision of an architect; or

9 (c) Be a person who has been designing buildings as a principal  
10 activity for eight years, or has an equivalent combination of education  
11 and experience, but who was not registered under chapter 323, Laws of  
12 1959, as amended, as it existed before July 28, 1992, provided that  
13 application is made within four years after July 28, 1992. Nothing in  
14 this chapter prevents such a person from designing buildings for four  
15 years after July 28, 1992, or the five-year period allowed for  
16 completion of the examination process, after that person has applied  
17 for registration. A person who has been designing buildings and is  
18 qualified under this subsection shall, upon application to the board of  
19 registration for architects, be allowed to take the examination for  
20 architect registration on an equal basis with other applicants.

21 **Sec. 814.** RCW 18.08.350 and 1993 c 475 s 2 are each amended to  
22 read as follows:

23 (1) Except as provided in section 815 of this act, a certificate of  
24 registration shall be granted by the director to all qualified  
25 applicants who are certified by the board as having passed the required  
26 examination and as having given satisfactory proof of completion of the  
27 required experience.

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

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

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

1 (b) Have eight years' practical architectural work experience  
2 approved by the board. Each year spent in an accredited architectural  
3 program approved by the board shall be considered one year of practical  
4 experience. At least four years' practical work experience shall be  
5 under the direct supervision of an architect.

6 NEW SECTION. **Sec. 815.** A new section is added to chapter 18.08  
7 RCW to read as follows:

8 The board shall immediately suspend the certificate of registration  
9 or certificate of authorization to practice architecture of a person  
10 who has been certified pursuant to section 802 of this act by the  
11 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 release issued by the department of social and health services stating  
16 that the individual is in compliance with the order.

17 **Sec. 816.** 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) The following shall be grounds for denial, suspension, or  
28 revocation of a license, or imposition of an administrative fine by the  
29 department:

30 (a) Misrepresentation or concealment of material facts in obtaining  
31 a license;

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

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

36 (d) Misleading or false advertising;

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

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

5 (g) Nonpayment of an administrative fine prior to renewal of a  
6 license;

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

9 (i) Any other violations of this chapter.

10 (3) The department shall immediately suspend the license of a  
11 person who has been certified pursuant to section 802 of this act by  
12 the department of social and health services as a person who is not in  
13 compliance with a support order. If the person has continued to meet  
14 all other requirements for reinstatement during the suspension,  
15 reissuance of the license shall be automatic upon the department's  
16 receipt of a release issued by the department of social and health  
17 services stating that the licensee is in compliance with the order.

18 **Sec. 817.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to  
19 read as follows:

20 (1) Upon payment of the proper fee, except as provided in section  
21 818 of this act, the director shall issue the appropriate license to  
22 any person who:

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

24 (b) Has completed and graduated from a course approved by the  
25 director of sixteen hundred hours of training in cosmetology, one  
26 thousand hours of training in barbering, five hundred hours of training  
27 in manicuring, five hundred hours of training in esthetics, and/or five  
28 hundred hours of training as an instructor-trainee; and

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

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

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

1 (4) The director may consult with the state board of health and the  
2 department of labor and industries in establishing training and  
3 examination requirements.

4 NEW SECTION. **Sec. 818.** A new section is added to chapter 18.16  
5 RCW to read as follows:

6 The department shall immediately suspend the license of a person  
7 who has been certified pursuant to section 802 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 release issued by the department of social and health  
13 services stating that the licensee is in compliance with the order.

14 NEW SECTION. **Sec. 819.** A new section is added to chapter 18.20  
15 RCW to read as follows:

16 The department shall immediately suspend the license of a person  
17 who has been certified pursuant to section 802 of this act by the  
18 department of social and health services as a person who is not in  
19 compliance with a support order. If the person has continued to meet  
20 all other requirements for reinstatement during the suspension,  
21 reissuance of the license shall be automatic upon the department's  
22 receipt of a release issued by the department of social and health  
23 services stating that the licensee is in compliance with the order.

24 **Sec. 820.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each  
25 amended to read as follows:

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

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

33 (a) One year;

34 (b) Until the bond expires; or

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

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

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

9 (5) The department shall immediately suspend the certificate of  
10 registration of a contractor who has been certified by the department  
11 of social and health services as a person who is not in compliance with  
12 a support order as provided in section 802 of this act. The  
13 certificate of registration shall not be reissued or renewed unless the  
14 person provides to the department a release from the department of  
15 social and health services stating that he or she is in compliance with  
16 the order and the person has continued to meet all other requirements  
17 for certification during the suspension.

18 **Sec. 821.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to  
19 read as follows:

20 Except as provided in section 822 of this act, the director shall  
21 issue a license to an applicant if the following requirements are met:

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

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

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

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

1 (5) An individual applicant for an original license as a debt  
2 adjuster has passed an examination administered by the director, which  
3 examination may be oral or written, or partly oral and partly written,  
4 and shall be practical in nature and sufficiently thorough to ascertain  
5 the applicant's fitness. Questions on bookkeeping, credit adjusting,  
6 business ethics, agency, contracts, debtor and creditor relationships,  
7 trust funds and the provisions of this chapter shall be included in the  
8 examination. No applicant may use any books or other similar aids  
9 while taking the examination, and no applicant may take the examination  
10 more than three times in any twelve month period.

11 NEW SECTION. **Sec. 822.** A new section is added to chapter 18.28  
12 RCW to read as follows:

13 The department shall immediately suspend the license of a person  
14 who has been certified pursuant to section 802 of this act by the  
15 department of social and health services as a person who is not in  
16 compliance with a support order. If the person has continued to meet  
17 all other requirements for reinstatement during the suspension,  
18 reissuance of the license shall be automatic upon the department's  
19 receipt of a release issued by the department of social and health  
20 services stating that the licensee is in compliance with the order.

21 **Sec. 823.** RCW 18.39.181 and 1996 c 217 s 7 are each amended to  
22 read as follows:

23 The director shall have the following powers and duties:

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

25 (2) To renew licenses under this chapter;

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

27 (~~and~~)

28 (4) To immediately suspend the license of a person who has been  
29 certified pursuant to section 802 of this act by the department of  
30 social and health services as a person who is not in compliance with a  
31 support order; and

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

35 NEW SECTION. **Sec. 824.** A new section is added to chapter 18.39  
36 RCW to read as follows:

1 In the case of suspension for failure to comply with a support  
2 order under chapter 74.20A RCW, if the person has continued to meet all  
3 other requirements for reinstatement during the suspension, reissuance  
4 of a license shall be automatic upon the director's receipt of a  
5 release issued by the department of social and health services stating  
6 that the individual is in compliance with the order.

7 NEW SECTION. **Sec. 825.** A new section is added to chapter 18.43  
8 RCW to read as follows:

9 The board shall immediately suspend the registration of a person  
10 who has been certified pursuant to section 802 of this act by the  
11 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 all other requirements for membership during the suspension, reissuance  
14 of the certificate of registration shall be automatic upon the board's  
15 receipt of a release issued by the department of social and health  
16 services stating that the person is in compliance with the order.

17 NEW SECTION. **Sec. 826.** A new section is added to chapter 18.44  
18 RCW to read as follows:

19 The department shall immediately suspend the certificate of  
20 registration of a person who has been certified pursuant to section 802  
21 of this act by the department of social and health services as a person  
22 who is not in compliance with a support order. If the person has  
23 continued to meet all other requirements for certification during the  
24 suspension, reissuance of the certificate shall be automatic upon the  
25 department's receipt of a release issued by the department of social  
26 and health services stating that the person is in compliance with the  
27 order.

28 **Sec. 827.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to  
29 read as follows:

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

34 (2) The department shall immediately suspend the license of a  
35 person who has been certified pursuant to section 802 of this act by  
36 the department of social and health services as a person who is not in

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

6 RCW 43.70.115 governs notice of a license denial, revocation,  
7 suspension, or modification and provides the right to an adjudicative  
8 proceeding but shall not apply to actions taken under subsection (2) of  
9 this section.

10 NEW SECTION. Sec. 828. A new section is added to chapter 18.51  
11 RCW to read as follows:

12 The department shall immediately suspend the license of a person  
13 who has been certified pursuant to section 802 of this act by the  
14 department of social and health services, division of support, as a  
15 person who is not in compliance with a child support order. If the  
16 person has continued to meet all other requirements for reinstatement  
17 during the suspension, reissuance of the license shall be automatic  
18 upon the department's receipt of a release issued by the division of  
19 child support stating that the person is in compliance with the order.

20 NEW SECTION. Sec. 829. A new section is added to chapter 18.76  
21 RCW to read as follows:

22 The department shall immediately suspend the certification of a  
23 poison center medical director or a poison information specialist who  
24 has been certified pursuant to section 802 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 certification during the suspension,  
28 reissuance of the certification shall be automatic upon the  
29 department's receipt of a release issued by the department of social  
30 and health services stating that the person is in compliance with the  
31 order.

32 NEW SECTION. Sec. 830. A new section is added to chapter 18.85  
33 RCW to read as follows:

34 The director shall immediately suspend the license of a broker or  
35 salesperson who has been certified pursuant to section 802 of this act  
36 by the department of social and health services as a person who is not

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

6 **Sec. 831.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended  
7 to read as follows:

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

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

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

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

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

23 (2) The director shall immediately suspend the certificate of  
24 registration of a landscape architect who has been certified pursuant  
25 to section 802 of this act by the department of social and health  
26 services as a person who is not in compliance with a support order. If  
27 the person has continued to meet all other requirements for  
28 certification during the suspension, reissuance of the certificate of  
29 registration shall be automatic upon the director's receipt of a  
30 release issued by the department of social and health services stating  
31 that the person is in compliance with the order.

32 **Sec. 832.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to  
33 read as follows:

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

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

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

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

6       (2) The director shall immediately suspend any license issued under  
7 this chapter if the holder of the license has been certified pursuant  
8 to section 802 of this act by the department of social and health  
9 services as a person who is not in compliance with a support order. If  
10 the person has continued to meet all other requirements for  
11 reinstatement during the suspension, reissuance of the license shall be  
12 automatic upon the director's receipt of a release issued by the  
13 department of social and health services stating that the person is in  
14 compliance with the order.

15       (3) No license shall be suspended for more than six months, except  
16 that a suspension under section 802 of this act shall continue until  
17 the department receives a release issued by the department of social  
18 and health services stating that the person is in compliance with the  
19 order.

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

23       **Sec. 833.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to  
24 read as follows:

25       (1) Except as provided in section 834 of this act, the department  
26 shall issue a certificate of competency to all applicants who have  
27 passed the examination and have paid the fee for the certificate. The  
28 certificate shall bear the date of issuance, and shall expire on the  
29 birthdate of the holder immediately following the date of issuance.  
30 The certificate shall be renewable every other year, upon application,  
31 on or before the birthdate of the holder. A renewal fee shall be  
32 assessed for each certificate. If a person fails to renew the  
33 certificate by the renewal date, he or she must pay a doubled fee. If  
34 the person does not renew the certificate within ninety days of the  
35 renewal date, he or she must retake the examination and pay the  
36 examination fee.

37       The certificate of competency and the temporary permit provided for  
38 in this chapter grant the holder the right to engage in the work of

1 plumbing as a journeyman plumber or specialty plumber in accordance  
2 with their provisions throughout the state and within any of its  
3 political subdivisions on any job or any employment without additional  
4 proof of competency or any other license or permit or fee to engage in  
5 the work. This section does not preclude employees from adhering to a  
6 union security clause in any employment where such a requirement  
7 exists.

8 (2) A person who is indentured in an apprenticeship program  
9 approved under chapter 49.04 RCW for the plumbing construction trade or  
10 who is learning the plumbing construction trade may work in the  
11 plumbing construction trade if supervised by a certified journeyman  
12 plumber or a certified specialty plumber in that plumber's specialty.  
13 All apprentices and individuals learning the plumbing construction  
14 trade shall obtain a plumbing training certificate from the department.  
15 The certificate shall authorize the holder to learn the plumbing  
16 construction trade while under the direct supervision of a journeyman  
17 plumber or a specialty plumber working in his or her specialty. The  
18 holder of the plumbing training certificate shall renew the certificate  
19 annually. At the time of renewal, the holder shall provide the  
20 department with an accurate list of the holder's employers in the  
21 plumbing construction industry for the previous year and the number of  
22 hours worked for each employer. An annual fee shall be charged for the  
23 issuance or renewal of the certificate. The department shall set the  
24 fee by rule. The fee shall cover but not exceed the cost of  
25 administering and enforcing the trainee certification and supervision  
26 requirements of this chapter. Apprentices and individuals learning the  
27 plumbing construction trade shall have their plumbing training  
28 certificates in their possession at all times that they are performing  
29 plumbing work. They shall show their certificates to an authorized  
30 representative of the department at the representative's request.

31 (3) Any person who has been issued a plumbing training certificate  
32 under this chapter may work if that person is under supervision.  
33 Supervision shall consist of a person being on the same job site and  
34 under the control of either a journeyman plumber or an appropriate  
35 specialty plumber who has an applicable certificate of competency  
36 issued under this chapter. Either a journeyman plumber or an  
37 appropriate specialty plumber shall be on the same job site as the  
38 noncertified individual for a minimum of seventy-five percent of each  
39 working day unless otherwise provided in this chapter. The ratio of

1 noncertified individuals to certified journeymen or specialty plumbers  
2 working on a job site shall be: (a) From July 28, 1985, through June  
3 30, 1988, not more than three noncertified plumbers working on any one  
4 job site for every certified journeyman or specialty plumber; (b)  
5 effective July 1, 1988, not more than two noncertified plumbers working  
6 on any one job site for every certified specialty plumber or journeyman  
7 plumber working as a specialty plumber; and (c) effective July 1, 1988,  
8 not more than one noncertified plumber working on any one job site for  
9 every certified journeyman plumber working as a journeyman plumber.

10 An individual who has a current training certificate and who has  
11 successfully completed or is currently enrolled in an approved  
12 apprenticeship program or in a technical school program in the plumbing  
13 construction trade in a school approved by the (~~commission for~~  
14 ~~vocational education~~) work force training and education coordinating  
15 board, may work without direct on-site supervision during the last six  
16 months of meeting the practical experience requirements of this  
17 chapter.

18 NEW SECTION. Sec. 834. A new section is added to chapter 18.106  
19 RCW to read as follows:

20 The department shall immediately suspend any certificate of  
21 competency issued under this chapter if the holder of the certificate  
22 has been certified pursuant to section 802 of this act by the  
23 department of social and health services as a person who is not in  
24 compliance with a support order. If the person has continued to meet  
25 all other requirements for certification during the suspension,  
26 reissuance of the certificate of competency shall be automatic upon the  
27 department's receipt of a release issued by the department of social  
28 and health services stating that the person is in compliance with the  
29 order.

30 NEW SECTION. Sec. 835. A new section is added to chapter 18.130  
31 RCW to read as follows:

32 The secretary shall immediately suspend the license of any person  
33 subject to this chapter who has been certified by the department of  
34 social and health services as a person who is not in compliance with a  
35 support order as provided in section 802 of this act.

1           **Sec. 836.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to  
2 read as follows:

3           A person whose license has been suspended or revoked under this  
4 chapter may petition the disciplining authority for reinstatement after  
5 an interval as determined by the disciplining authority in the order.  
6 The disciplining authority shall hold hearings on the petition and may  
7 deny the petition or may order reinstatement and impose terms and  
8 conditions as provided in RCW 18.130.160 and issue an order of  
9 reinstatement. The disciplining authority may require successful  
10 completion of an examination as a condition of reinstatement.

11           A person whose license has been suspended for noncompliance with a  
12 support order under section 802 of this act may petition for  
13 reinstatement at any time by providing the secretary a release issued  
14 by the department of social and health services stating that the person  
15 is in compliance with the order. If the person has continued to meet  
16 all other requirements for reinstatement during the suspension, the  
17 secretary shall automatically reissue the person's license upon receipt  
18 of the release, and payment of a reinstatement fee, if any.

19           **NEW SECTION. Sec. 837.** A new section is added to chapter 18.140  
20 RCW to read as follows:

21           The director shall immediately suspend any license or certificate  
22 issued under this chapter if the holder has been certified pursuant to  
23 section 802 of this act by the department of social and health services  
24 as a person who is not in compliance with a support order. If the  
25 person has continued to meet all other requirements for reinstatement  
26 during the suspension, reissuance of the license or certificate shall  
27 be automatic upon the director's receipt of a release issued by the  
28 department of social and health services stating that the person is in  
29 compliance with the order.

30           **Sec. 838.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8  
31 are each reenacted and amended to read as follows:

32           Except as provided in section 839 of this act, the department  
33 shall issue a certificate to any applicant who meets the standards  
34 established under this chapter and who:

- 35           (1) Is holding one of the following:

1 (a) Certificate of proficiency, registered professional reporter,  
2 registered merit reporter, or registered diplomate reporter from  
3 (~~{the}~~) the national court reporters association;

4 (b) Certificate of proficiency or certificate of merit from  
5 (~~{the}~~) the national stenomask verbatim reporters association; or

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

7 (2) Has passed an examination approved by the director or an  
8 examination that meets or exceeds the standards established by the  
9 director.

10 NEW SECTION. Sec. 839. A new section is added to chapter 18.145  
11 RCW to read as follows:

12 The director shall immediately suspend any certificate issued under  
13 this chapter if the holder has been certified pursuant to section 802  
14 of this act by the department of social and health services as a person  
15 who is not in compliance with a support order. If the person has  
16 continued to meet all other requirements for certification during the  
17 suspension, reissuance of the certificate shall be automatic upon the  
18 director's receipt of a release issued by the department of social and  
19 health services stating that the person is in compliance with the  
20 order.

21 **Sec. 840.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to  
22 read as follows:

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

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

32 (b) Conviction of a felony;

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

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

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

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

7 (2) The state director of fire protection shall revoke the license  
8 of a licensed fire protection sprinkler system contractor or the  
9 certificate of a certificate of competency holder who engages in the  
10 fire protection sprinkler system business while the license or  
11 certificate of competency is suspended.

12 (3) The state director of fire protection shall immediately suspend  
13 any license or certificate issued under this chapter if the holder has  
14 been certified pursuant to section 802 of this act by the department of  
15 social and health services as a person who is not in compliance with a  
16 support order. If the person has continued to meet all other  
17 requirements for issuance or reinstatement during the suspension,  
18 issuance or reissuance of the license or certificate shall be automatic  
19 upon the director's receipt of a release issued by the department of  
20 social and health services stating that the person is in compliance  
21 with the order.

22 (4) Any licensee or certificate of competency holder who is  
23 aggrieved by an order of the state director of fire protection  
24 suspending or revoking a license may, within thirty days after notice  
25 of such suspension or revocation, appeal under chapter 34.05 RCW. This  
26 subsection does not apply to actions taken under subsection (3) of this  
27 section.

28 **Sec. 841.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to  
29 read as follows:

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

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

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

1 (3) Not meeting the qualifications set forth in RCW 18.165.030,  
2 18.165.040, or 18.165.050;

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

5 (5) Carrying a firearm in the performance of his or her duties if  
6 not the holder of a valid armed private investigator license, or  
7 carrying a firearm not meeting the provisions of this chapter while in  
8 the performance of his or her duties;

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

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

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

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

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

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

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

35 (13) Suspension, revocation, or restriction of the individual's  
36 license to practice the profession by competent authority in any state,  
37 federal, or foreign jurisdiction, a certified copy of the order,  
38 stipulation, or agreement being conclusive evidence of the revocation,  
39 suspension, or restriction;

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

2 (a) Not furnishing any necessary papers or documents requested by  
3 the director for purposes of conducting an investigation for  
4 disciplinary action, denial, suspension, or revocation of a license  
5 under this chapter;

6 (b) Not furnishing in writing a full and complete explanation  
7 covering the matter contained in a complaint filed with the department;  
8 or

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

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

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

15 (17) Misrepresentation or fraud in any aspect of the conduct of the  
16 business or profession;

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

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

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

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

31 (22) Failure to maintain bond or insurance; (~~or~~)

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

33 (24) Being certified as not in compliance with a support order as  
34 provided in section 802 of this act.

35 NEW SECTION. Sec. 842. A new section is added to chapter 18.165  
36 RCW to read as follows:

37 The director shall immediately suspend a license issued under this  
38 chapter if the holder has been certified pursuant to section 802 of

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

8 **Sec. 843.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to  
9 read as follows:

10 In addition to the provisions of section 844 of this act, the  
11 following acts are prohibited and constitute grounds for disciplinary  
12 action, assessing administrative penalties, or denial, suspension, or  
13 revocation of any license under this chapter, as deemed appropriate by  
14 the director:

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

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

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

21 (4) Not meeting the qualifications set forth in RCW 18.170.030,  
22 18.170.040, or 18.170.060;

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

25 (6) Carrying a firearm in the performance of his or her duties if  
26 not the holder of a valid armed private security guard license, or  
27 carrying a firearm not meeting the provisions of this chapter while in  
28 the performance of his or her duties;

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

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

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

37 (10) Conviction of a gross misdemeanor or felony or the commission  
38 of any act involving moral turpitude, dishonesty, or corruption whether

1 the act constitutes a crime or not. If the act constitutes a crime,  
2 conviction in a criminal proceeding is not a condition precedent to  
3 disciplinary action. Upon such a conviction, however, the judgment and  
4 sentence is conclusive evidence at the ensuing disciplinary hearing of  
5 the guilt of the license holder or applicant of the crime described in  
6 the indictment or information, and of the person's violation of the  
7 statute on which it is based. For the purposes of this section,  
8 conviction includes all instances in which a plea of guilty or nolo  
9 contendere is the basis for the conviction and all proceedings in which  
10 the sentence has been deferred or suspended;

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

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

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

16 (14) Suspension, revocation, or restriction of the individual's  
17 license to practice the profession by competent authority in any state,  
18 federal, or foreign jurisdiction, a certified copy of the order,  
19 stipulation, or agreement being conclusive evidence of the revocation,  
20 suspension, or restriction;

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

22 (a) Not furnishing any necessary papers or documents requested by  
23 the director for purposes of conducting an investigation for  
24 disciplinary action, denial, suspension, or revocation of a license  
25 under this chapter;

26 (b) Not furnishing in writing a full and complete explanation  
27 covering the matter contained in a complaint filed with the department;  
28 or

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

31 (16) Failure to comply with an order issued by the director or an  
32 assurance of discontinuance entered into with the disciplining  
33 authority;

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

36 (18) Misrepresentation or fraud in any aspect of the conduct of the  
37 business or profession;

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

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

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

8 (22) Failure to maintain insurance; and

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

10 NEW SECTION. Sec. 844. A new section is added to chapter 18.170  
11 RCW to read as follows:

12 The director shall immediately suspend any license issued under  
13 this chapter if the holder has been certified pursuant to section 802  
14 of this act by the department of social and health services as a person  
15 who is not in compliance with a support order. If the person has  
16 continued to meet all other requirements for reinstatement during the  
17 suspension, reissuance of the license shall be automatic upon the  
18 director's receipt of a release issued by the department of social and  
19 health services stating that the person is in compliance with the  
20 order.

21 NEW SECTION. Sec. 845. A new section is added to chapter 18.175  
22 RCW to read as follows:

23 The director shall immediately suspend a certificate of  
24 registration issued under this chapter if the holder has been certified  
25 pursuant to section 802 of this act by the department of social and  
26 health services as a person who is not in compliance with a support  
27 order. If the person has continued to meet all other requirements for  
28 certification during the suspension, reissuance of the certificate  
29 shall be automatic upon the director's receipt of a release issued by  
30 the department of social and health services stating that the person is  
31 in compliance with the order.

32 NEW SECTION. Sec. 846. A new section is added to chapter 18.185  
33 RCW to read as follows:

34 The director shall immediately suspend any license issued under  
35 this chapter if the holder has been certified pursuant to section 802  
36 of this act by the department of social and health services as a person

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

7 **Sec. 847.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to  
8 read as follows:

9 This section governs the denial of an application for a license or  
10 the suspension, revocation, or modification of a license by the  
11 department.

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

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

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

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

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

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

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

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

28       NEW SECTION. Sec. 848. A new section is added to chapter 28A.410  
29 RCW to read as follows:

30       Any certificate or permit authorized under this chapter or chapter  
31 28A.405 RCW shall be suspended by the authority authorized to grant the  
32 certificate or permit if the department of social and health services  
33 certifies that the person is not in compliance with a support order as  
34 provided in section 802 of this act. If the person continues to meet  
35 other requirements for reinstatement during the suspension, reissuance  
36 of the certificate or permit shall be automatic after the person  
37 provides the authority a release issued by the department of social and

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

3 **Sec. 849.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to  
4 read 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 **Sec. 850.** RCW 19.28.310 and 1996 c 241 s 5 are each amended to  
26 read as follows:

27 (1) The department has the power, in case of serious noncompliance  
28 with the provisions of this chapter, to revoke or suspend for such a  
29 period as it determines, any electrical contractor license or  
30 electrical contractor administrator certificate issued under this  
31 chapter. The department shall notify the holder of the license or  
32 certificate of the revocation or suspension by certified mail. A  
33 revocation or suspension is effective twenty days after the holder  
34 receives the notice. Any revocation or suspension is subject to review  
35 by an appeal to the board. The filing of an appeal stays the effect of  
36 a revocation or suspension until the board makes its decision. The  
37 appeal shall be filed within twenty days after notice of the revocation  
38 or suspension is given by certified mail sent to the address of the

1 holder of the license or certificate as shown on the application for  
2 the license or certificate, and shall be effected by filing a written  
3 notice of appeal with the department, accompanied by a certified check  
4 for two hundred dollars, which shall be returned to the holder of the  
5 license or certificate if the decision of the department is not  
6 sustained by the board. The hearing shall be conducted in accordance  
7 with chapter 34.05 RCW. If the board sustains the decision of the  
8 department, the two hundred dollars shall be applied by the department  
9 to the payment of the per diem and expenses of the members of the board  
10 incurred in the matter, and any balance remaining after payment of per  
11 diem and expenses shall be paid into the electrical license fund.

12 (2) The department shall immediately suspend the license or  
13 certificate of a person who has been certified pursuant to section 802  
14 of this act by the department of social and health services as a person  
15 who is not in compliance with a support order. If the person has  
16 continued to meet all other requirements for reinstatement during the  
17 suspension, reissuance of the license or certificate shall be automatic  
18 upon the department's receipt of a release issued by the department of  
19 social and health services stating that the licensee is in compliance  
20 with the order.

21 **Sec. 851.** RCW 19.28.580 and 1988 c 81 s 15 are each amended to  
22 read as follows:

23 (1) The department may revoke any certificate of competency upon  
24 the following grounds:

25 (a) The certificate was obtained through error or fraud;

26 (b) The holder thereof is judged to be incompetent to work in the  
27 electrical construction trade as a journeyman electrician or specialty  
28 electrician;

29 (c) The holder thereof has violated any of the provisions of RCW  
30 19.28.510 through 19.28.620 or any rule adopted under this chapter.

31 (2) Before any certificate of competency shall be revoked, the  
32 holder shall be given written notice of the department's intention to  
33 do so, mailed by registered mail, return receipt requested, to the  
34 holder's last known address. The notice shall enumerate the  
35 allegations against the holder, and shall give the holder the  
36 opportunity to request a hearing before the board. At the hearing, the  
37 department and the holder may produce witnesses and give testimony.  
38 The hearing shall be conducted in accordance with chapter 34.05 RCW.

1 The board shall render its decision based upon the testimony and  
2 evidence presented, and shall notify the parties immediately upon  
3 reaching its decision. A majority of the board shall be necessary to  
4 render a decision.

5 (3) The department shall immediately suspend the license or  
6 certificate of a person who has been certified pursuant to section 802  
7 of this act by the department of social and health services as a person  
8 who is not in compliance with a support order. If the person has  
9 continued to meet all other requirements for reinstatement during the  
10 suspension, reissuance of the license or certificate shall be automatic  
11 upon the department's receipt of a release issued by the department of  
12 social and health services stating that the licensee is in compliance  
13 with the order.

14 **Sec. 852.** RCW 19.30.060 and 1985 c 280 s 6 are each amended to  
15 read as follows:

16 Any person may protest the grant or renewal of a license under this  
17 section. The director may revoke, suspend, or refuse to issue or renew  
18 any license when it is shown that:

19 (1) The farm labor contractor or any agent of the contractor has  
20 violated or failed to comply with any of the provisions of this  
21 chapter;

22 (2) The farm labor contractor has made any misrepresentations or  
23 false statements in his or her application for a license;

24 (3) The conditions under which the license was issued have changed  
25 or no longer exist;

26 (4) The farm labor contractor, or any agent of the contractor, has  
27 violated or wilfully aided or abetted any person in the violation of,  
28 or failed to comply with, any law of the state of Washington regulating  
29 employment in agriculture, the payment of wages to farm employees, or  
30 the conditions, terms, or places of employment affecting the health and  
31 safety of farm employees, which is applicable to the business  
32 activities, or operations of the contractor in his or her capacity as  
33 a farm labor contractor;

34 (5) The farm labor contractor or any agent of the contractor has in  
35 recruiting farm labor solicited or induced the violation of any then  
36 existing contract of employment of such laborers; or

1 (6) The farm labor contractor or any agent of the contractor has an  
2 unsatisfied judgment against him or her in any state or federal court,  
3 arising out of his or her farm labor contracting activities.

4 The director shall immediately suspend the license or certificate  
5 of a person who has been certified pursuant to section 802 of this act  
6 by the department of social and health services as a person who is not  
7 in compliance with a support order. If the person has continued to  
8 meet all other requirements for reinstatement during the suspension,  
9 reissuance of the license or certificate shall be automatic upon the  
10 director's receipt of a release issued by the department of social and  
11 health services stating that the licensee is in compliance with the  
12 order.

13 **Sec. 853.** RCW 19.16.120 and 1994 c 195 s 3 are each amended to  
14 read as follows:

15 In addition to other provisions of this chapter, any license issued  
16 pursuant to this chapter or any application therefor may be denied, not  
17 renewed, revoked, or suspended, or in lieu of or in addition to  
18 suspension a licensee may be assessed a civil, monetary penalty in an  
19 amount not to exceed one thousand dollars:

20 (1) If an individual applicant or licensee is less than eighteen  
21 years of age or is not a resident of this state.

22 (2) If an applicant or licensee is not authorized to do business in  
23 this state.

24 (3) If the application or renewal forms required by this chapter  
25 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if  
26 applicable, have not been paid, and the surety bond or cash deposit or  
27 other negotiable security acceptable to the director required by RCW  
28 19.16.190, if applicable, has not been filed or renewed or is canceled.

29 (4) If any individual applicant, owner, officer, director, or  
30 managing employee of a nonindividual applicant or licensee:

31 (a) Shall have knowingly made a false statement of a material fact  
32 in any application for a collection agency license or an out-of-state  
33 collection agency license or renewal thereof, or in any data attached  
34 thereto and two years have not elapsed since the date of such  
35 statement;

36 (b) Shall have had a license to engage in the business of a  
37 collection agency or out-of-state collection agency denied, not  
38 renewed, suspended, or revoked by this state, any other state, or

1 foreign country, for any reason other than the nonpayment of licensing  
2 fees or failure to meet bonding requirements: PROVIDED, That the terms  
3 of this subsection shall not apply if:

4 (i) Two years have elapsed since the time of any such denial,  
5 nonrenewal, or revocation; or

6 (ii) The terms of any such suspension have been fulfilled;

7 (c) Has been convicted in any court of any felony involving  
8 forgery, embezzlement, obtaining money under false pretenses, larceny,  
9 extortion, or conspiracy to defraud and is incarcerated for that  
10 offense or five years have not elapsed since the date of such  
11 conviction;

12 (d) Has had any judgment entered against him in any civil action  
13 involving forgery, embezzlement, obtaining money under false pretenses,  
14 larceny, extortion, or conspiracy to defraud and five years have not  
15 elapsed since the date of the entry of the final judgment in said  
16 action: PROVIDED, That in no event shall a license be issued unless  
17 the judgment debt has been discharged;

18 (e) Has had his license to practice law suspended or revoked and  
19 two years have not elapsed since the date of such suspension or  
20 revocation, unless he has been relicensed to practice law in this  
21 state;

22 (f) Has had any judgment entered against him or it under the  
23 provisions of RCW 19.86.080 or 19.86.090 involving a violation or  
24 violations of RCW 19.86.020 and two years have not elapsed since the  
25 entry of the final judgment: PROVIDED, That in no event shall a  
26 license be issued unless the terms of such judgment, if any, have been  
27 fully complied with: PROVIDED FURTHER, That said judgment shall not be  
28 grounds for denial, suspension, nonrenewal, or revocation of a license  
29 unless the judgment arises out of and is based on acts of the  
30 applicant, owner, officer, director, managing employee, or licensee  
31 while acting for or as a collection agency or an out-of-state  
32 collection agency;

33 (g) Has petitioned for bankruptcy, and two years have not elapsed  
34 since the filing of said petition;

35 (h) Shall be insolvent in the sense that his or its liabilities  
36 exceed his or its assets or in the sense that he or it cannot meet his  
37 or its obligations as they mature;

1 (i) Has failed to pay any civil, monetary penalty assessed in  
2 accordance with RCW 19.16.351 or 19.16.360 within ten days after the  
3 assessment becomes final;

4 (j) Has knowingly failed to comply with, or violated any provisions  
5 of this chapter or any rule or regulation issued pursuant to this  
6 chapter, and two years have not elapsed since the occurrence of said  
7 noncompliance or violation; or

8 (k) Has been found by a court of competent jurisdiction to have  
9 violated the federal fair debt collection practices act, 15 U.S.C. Sec.  
10 1692 et seq., or the Washington state consumer protection act, chapter  
11 19.86 RCW, and two years have not elapsed since that finding.

12 Except as otherwise provided in this section, any person who is  
13 engaged in the collection agency business as of January 1, 1972 shall,  
14 upon filing the application, paying the fees, and filing the surety  
15 bond or cash deposit or other negotiable security in lieu of bond  
16 required by this chapter, be issued a license ((hereunder)) under this  
17 chapter.

18 The director shall immediately suspend the license or certificate  
19 of a person who has been certified pursuant to section 802 of this act  
20 by the department of social and health services as a person who is not  
21 in compliance with a support order. If the person has continued to  
22 meet all other requirements for reinstatement during the suspension,  
23 reissuance of the license or certificate shall be automatic upon the  
24 director's receipt of a release issued by the department of social and  
25 health services stating that the licensee is in compliance with the  
26 order.

27 **Sec. 854.** RCW 19.31.130 and 1969 ex.s. c 228 s 13 are each amended  
28 to read as follows:

29 (1) In accordance with the provisions of chapter 34.05 RCW as now  
30 or as hereafter amended, the director may by order deny, suspend or  
31 revoke the license of any employment agency if he finds that the  
32 applicant or licensee:

33 ((+1)) (a) Was previously the holder of a license issued under  
34 this chapter, which was revoked for cause and never reissued by the  
35 director, or which license was suspended for cause and the terms of the  
36 suspension have not been fulfilled;

37 ((+2)) (b) Has been found guilty of any felony within the past  
38 five years involving moral turpitude, or for any misdemeanor concerning

1 fraud or conversion, or suffering any judgment in any civil action  
2 involving wilful fraud, misrepresentation or conversion;

3 ~~((3))~~ (c) Has made a false statement of a material fact in his  
4 application or in any data attached thereto;

5 ~~((4))~~ (d) Has violated any provisions of this chapter, or failed  
6 to comply with any rule or regulation issued by the director pursuant  
7 to this chapter.

8 (2) The director shall immediately suspend the license or  
9 certificate of a person who has been certified pursuant to section 802  
10 of this act by the department of social and health services as a person  
11 who is not in compliance with a support order. If the person has  
12 continued to meet all other requirements for reinstatement during the  
13 suspension, reissuance of the license or certificate shall be automatic  
14 upon the director's receipt of a release issued by the department of  
15 social and health services stating that the licensee is in compliance  
16 with the order.

17 **Sec. 855.** RCW 19.32.060 and 1943 c 117 s 5 are each amended to  
18 read as follows:

19 (1) The director of agriculture may cancel or suspend any such  
20 license if he finds after proper investigation that (a) the licensee  
21 has violated any provision of this chapter or of any other law of this  
22 state relating to the operation of refrigerated lockers or of the sale  
23 of any human food in connection therewith, or any regulation effective  
24 under any act the administration of which is in the charge of the  
25 department of agriculture, or (b) the licensed refrigerated locker  
26 premises or any equipment used therein or in connection therewith is in  
27 an unsanitary condition and the licensee has failed or refused to  
28 remedy the same within ten days after receipt from the director of  
29 agriculture of written notice to do so.

30 (2) No license shall be revoked or suspended by the director  
31 without delivery to the licensee of a written statement of the charge  
32 involved and an opportunity to answer such charge within ten days from  
33 the date of such notice.

34 (3) Any order made by the director suspending or revoking any  
35 license may be reviewed by certiorari in the superior court of the  
36 county in which the licensed premises are located, within ten days from  
37 the date notice in writing of the director's order revoking or  
38 suspending such license has been served upon him.

1       (4) The director shall immediately suspend the license or  
2 certificate of a person who has been certified pursuant to section 802  
3 of this act by the department of social and health services as a person  
4 who is not in compliance with a support order. If the person has  
5 continued to meet all other requirements for reinstatement during the  
6 suspension, reissuance of the license or certificate shall be automatic  
7 upon the director's receipt of a release issued by the department of  
8 social and health services stating that the licensee is in compliance  
9 with the order.

10       **Sec. 856.** RCW 19.105.380 and 1988 c 159 s 14 are each amended to  
11 read as follows:

12       (1) A registration or an application for registration of camping  
13 resort contracts or renewals thereof may by order be denied, suspended,  
14 or revoked if the director finds that:

15       (a) The advertising, sales techniques, or trade practices of the  
16 applicant, registrant, or its affiliate or agent have been or are  
17 deceptive, false, or misleading;

18       (b) The applicant or registrant has failed to file copies of the  
19 camping resort contract form under RCW 19.105.360;

20       (c) The applicant, registrant, or affiliate has failed to comply  
21 with any provision of this chapter, the rules adopted or the conditions  
22 of a permit granted under this chapter, or a stipulation or final order  
23 previously entered into by the operator or issued by the department  
24 under this chapter;

25       (d) The applicant's, registrant's, or affiliate's offering of  
26 camping resort contracts has worked or would work a fraud upon  
27 purchasers or owners of camping resort contracts;

28       (e) The camping resort operator or any officer, director, or  
29 affiliate of the camping resort operator has been within the last five  
30 years convicted of or pleaded nolo contendere to any misdemeanor or  
31 felony involving conversion, embezzlement, theft, fraud, or dishonesty,  
32 has been enjoined from or had any civil penalty assessed for a finding  
33 of dishonest dealing or fraud in a civil suit, or been found to have  
34 engaged in any violation of any act designed to protect consumers, or  
35 has been engaged in dishonest practices in any industry involving sales  
36 to consumers;

37       (f) The applicant or registrant has represented or is representing  
38 to purchasers in connection with the offer or sale of a camping resort

1 contract that a camping resort property, facility, amenity camp site,  
2 or other development is planned, promised, or required, and the  
3 applicant or registrant has not provided the director with a security  
4 or assurance of performance as required by this chapter;

5 (g) The applicant or registrant has not provided or is no longer  
6 providing the director with the necessary security arrangements to  
7 assure future availability of titles or properties as required by this  
8 chapter or agreed to in the permit to market;

9 (h) The applicant or registrant is or has been employing  
10 unregistered salespersons or offering or proposing a membership  
11 referral program not in compliance with this chapter;

12 (i) The applicant or registrant has breached any escrow, impound,  
13 reserve account, or trust arrangement or the conditions of an order or  
14 permit to market required by this chapter;

15 (j) The applicant or registrant has breached any stipulation or  
16 order entered into in settlement of the department's filing of a  
17 previous administrative action;

18 (k) The applicant or registrant has filed or caused to be filed  
19 with the director any document or affidavit, or made any statement  
20 during the course of a registration or exemption procedure with the  
21 director, that is materially untrue or misleading;

22 (l) The applicant or registrant has engaged in a practice of  
23 failing to provide the written disclosures to purchasers or prospective  
24 purchasers as required under this chapter;

25 (m) The applicant, registrant, or any of its officers, directors,  
26 or employees, if the operator is other than a natural person, have  
27 wilfully done, or permitted any of their salespersons or agents to do,  
28 any of the following:

29 (i) Engage in a pattern or practice of making untrue or misleading  
30 statements of a material fact, or omitting to state a material fact;

31 (ii) Employ any device, scheme, or artifice to defraud purchasers  
32 or members;

33 (iii) Engage in a pattern or practice of failing to provide the  
34 written disclosures to purchasers or prospective purchasers as required  
35 under this chapter;

36 (n) The applicant or registrant has failed to provide a bond,  
37 letter of credit, or other arrangement to assure delivery of promised  
38 gifts, prizes, awards, or other items of consideration, as required  
39 under this chapter, breached such a security arrangement, or failed to

1 maintain such a security arrangement in effect because of a resignation  
2 or loss of a trustee, impound, or escrow agent;

3 (o) The applicant or registrant has engaged in a practice of  
4 selling contracts using material amendments or codicils that have not  
5 been filed or are the consequences of breaches or alterations in  
6 previously filed contracts;

7 (p) The applicant or registrant has engaged in a practice of  
8 selling or proposing to sell contracts in a ratio of contracts to sites  
9 available in excess of that filed in the affidavit required by this  
10 chapter;

11 (q) The camping resort operator has withdrawn, has the right to  
12 withdraw, or is proposing to withdraw from use all or any portion of  
13 any camping resort property devoted to the camping resort program,  
14 unless:

15 (i) Adequate provision has been made to provide within a reasonable  
16 time thereafter a substitute property in the same general area that is  
17 at least as desirable for the purpose of camping and outdoor  
18 recreation;

19 (ii) The property is withdrawn because, despite good faith efforts  
20 by the camping resort operator, a nonaffiliate of the camping resort  
21 has exercised a right of withdrawal from use by the camping resort  
22 (such as withdrawal following expiration of a lease of the property to  
23 the camping resort) and the terms of the withdrawal right have been  
24 disclosed in writing to all purchasers at or prior to the time of any  
25 sales of camping resort contracts after the camping resort has  
26 represented to purchasers that the property is or will be available for  
27 camping or recreation purposes;

28 (iii) The specific date upon which the withdrawal becomes effective  
29 has been disclosed in writing to all purchasers and members prior to  
30 the time of any sales of camping resort contracts after the camping  
31 resort has represented to purchasers that the property is or will be  
32 available for camping or recreation purposes;

33 (iv) The rights of members and owners of the camping resort  
34 contracts under the express terms of the camping resort contract have  
35 expired, or have been specifically limited, upon the lapse of a stated  
36 or determinable period of time, and the director by order has found  
37 that the withdrawal is not otherwise inconsistent with the protection  
38 of purchasers or the desire of the majority of the owners of camping

1 resort contracts, as expressed in their previously obtained vote of  
2 approval;

3 (r) The format, form, or content of the written disclosures  
4 provided therein is not complete, full, or materially accurate, or  
5 statements made therein are materially false, misleading, or deceptive;

6 (s) The applicant or registrant has failed or declined to respond  
7 to any subpoena lawfully issued and served by the department under this  
8 chapter;

9 (t) The applicant or registrant has failed to file an amendment for  
10 a material change in the manner or at the time required under this  
11 chapter or its implementing rules;

12 (u) The applicant or registrant has filed voluntarily or been  
13 placed involuntarily into a federal bankruptcy or is proposing to do  
14 so; or

15 (v) A camping resort operator's rights or interest in a campground  
16 has been terminated by foreclosure or the operations in a camping  
17 resort have been terminated in a manner contrary to contract  
18 provisions.

19 (2) Any applicant or registrant who has violated subsection (1)(a),  
20 (b), (c), (f), (h), (i), (j), (l), (m), or (n) of this section may be  
21 fined by the director in an amount not to exceed one thousand dollars  
22 for each such violation. Proceedings seeking such fines shall be held  
23 in accordance with chapter 34.05 RCW and may be filed either separately  
24 or in conjunction with other administrative proceedings to deny,  
25 suspend, or revoke registrations authorized under this chapter. Fines  
26 collected from such proceedings shall be deposited in the state general  
27 fund.

28 (3) An operator, registrant, or applicant against whom  
29 administrative or legal proceedings have been filed shall be  
30 responsible for and shall reimburse the state, by payment into the  
31 general fund, for all administrative and legal costs actually incurred  
32 by the department in issuing, processing, and conducting any such  
33 administrative or legal proceeding authorized under this chapter that  
34 results in a final legal or administrative determination of any type or  
35 degree in favor of the department.

36 (4) No order may be entered under this section without appropriate  
37 prior notice to the applicant or registrant of opportunity for a  
38 hearing and written findings of fact and conclusions of law, except  
39 that the director may by order summarily deny an application for

1 registration or renewal under any of the above subsections and may  
2 summarily suspend or revoke a registration under subsection (1)(d),  
3 (f), (g), (h), (i), (k), (l), (m), and (n) of this section. No fine  
4 may be imposed by summary order.

5 (5) The proceedings to deny an application or renewal, suspend or  
6 revoke a registration or permit, whether summarily or otherwise, or  
7 impose a fine shall be held in accordance with chapter 34.05 RCW.

8 (6) The director may enter into assurances of discontinuance in  
9 lieu of issuing a statement of charges or a cease and desist order or  
10 conducting a hearing under this chapter. The assurances shall consist  
11 of a statement of the law in question and an agreement not to violate  
12 the stated provision. The applicant or registrant shall not be  
13 required to admit to any violation of the law, nor shall the assurance  
14 be construed as such an admission. Violating or breaching an assurance  
15 under this subsection is grounds for suspension or revocation of  
16 registration or imposition of a fine.

17 (7) The director shall immediately suspend the license or  
18 certificate of a person who has been certified pursuant to section 802  
19 of this act by the department of social and health services as a person  
20 who is not in compliance with a support order. If the person has  
21 continued to meet all other requirements for reinstatement during the  
22 suspension, reissuance of the license or certificate shall be automatic  
23 upon the director's receipt of a release issued by the department of  
24 social and health services stating that the licensee is in compliance  
25 with the order.

26 **Sec. 857.** RCW 19.105.440 and 1988 c 159 s 21 are each amended to  
27 read as follows:

28 (1) A salesperson may apply for registration by filing in a  
29 complete and readable form with the director an application form  
30 provided by the director which includes the following:

31 (a) A statement whether or not the applicant within the past five  
32 years has been convicted of, pleaded nolo contendere to, or been ordered  
33 to serve probation for a period of a year or more for any misdemeanor  
34 or felony involving conversion, embezzlement, theft, fraud, or  
35 dishonesty or the applicant has been enjoined from, had any civil  
36 penalty assessed for, or been found to have engaged in any violation of  
37 any act designed to protect consumers;

1 (b) A statement fully describing the applicant's employment history  
2 for the past five years and whether or not any termination of  
3 employment during the last five years was the result of any theft,  
4 fraud, or act of dishonesty;

5 (c) A consent to service comparable to that required of operators  
6 under this chapter; and

7 (d) Required filing fees.

8 (2) The director may by order deny, suspend, or revoke a camping  
9 resort salesperson's registration or application for registration under  
10 this chapter or the person's license or application under chapter 18.85  
11 RCW, or impose a fine on such persons not exceeding two hundred dollars  
12 per violation, if the director finds that the order is necessary for  
13 the protection of purchasers or owners of camping resort contracts and  
14 the applicant or registrant is guilty of:

15 (a) Obtaining registration by means of fraud, misrepresentation, or  
16 concealment, or through the mistake or inadvertence of the director;

17 (b) Violating any of the provisions of this chapter or any lawful  
18 rules adopted by the director pursuant thereto;

19 (c) Being convicted in a court of competent jurisdiction of this or  
20 any other state, or federal court, of forgery, embezzlement, obtaining  
21 money under false pretenses, bribery, larceny, extortion, conspiracy to  
22 defraud, or any similar offense or offenses. For the purposes of this  
23 section, "being convicted" includes all instances in which a plea of  
24 guilty or nolo contendere is the basis for the conviction, and all  
25 proceedings in which the sentence has been deferred or suspended;

26 (d) Making, printing, publishing, distributing, or causing,  
27 authorizing, or knowingly permitting the making, printing, publication,  
28 or distribution of false statements, descriptions, or promises of such  
29 character as to reasonably induce any person to act thereon, if the  
30 statements, descriptions, or promises purport to be made or to be  
31 performed by either the applicant or registrant and the applicant or  
32 registrant then knew or, by the exercise of reasonable care and  
33 inquiry, could have known, of the falsity of the statements,  
34 descriptions, or promises;

35 (e) Knowingly committing, or being a party to, any material fraud,  
36 misrepresentation, concealment, conspiracy, collusion, trick, scheme,  
37 or device whereby any other person lawfully relies upon the work,  
38 representation, or conduct of the applicant or registrant;

1 (f) Failing, upon demand, to disclose to the director or the  
2 director's authorized representatives acting by authority of law any  
3 information within his or her knowledge or to produce for inspection  
4 any document, book or record in his or her possession, which is  
5 material to the salesperson's registration or application for  
6 registration;

7 (g) Continuing to sell camping resort contracts in a manner whereby  
8 the interests of the public are endangered, if the director has, by  
9 order in writing, stated objections thereto;

10 (h) Committing any act of fraudulent or dishonest dealing or a  
11 crime involving moral turpitude, and a certified copy of the final  
12 holding of any court of competent jurisdiction in such matter shall be  
13 conclusive evidence in any hearing under this chapter;

14 (i) Misrepresentation of membership in any state or national  
15 association; or

16 (j) Discrimination against any person in hiring or in sales  
17 activity on the basis of race, color, creed, or national origin, or  
18 violating any state or federal antidiscrimination law.

19 (3) No order may be entered under this section without appropriate  
20 prior notice to the applicant or registrant of opportunity for a  
21 hearing and written findings of fact and conclusions of law, except  
22 that the director may by order summarily deny an application for  
23 registration under this section.

24 (4) The proceedings to deny an application or renewal, suspend or  
25 revoke a registration or permit, whether summarily or otherwise, or  
26 impose a fine shall be held in accordance with chapter 34.05 RCW.

27 (5) The director, subsequent to any complaint filed against a  
28 salesperson or pursuant to an investigation to determine violations,  
29 may enter into stipulated assurances of discontinuances in lieu of  
30 issuing a statement of charges or a cease and desist order or  
31 conducting a hearing. The assurance shall consist of a statement of  
32 the law in question and an agreement not to violate the stated  
33 provision. The salesperson shall not be required to admit to any  
34 violation of the law, nor shall the assurance be construed as such an  
35 admission. Violation of an assurance under this subsection is grounds  
36 for a disciplinary action, a suspension of registration, or a fine not  
37 to exceed one thousand dollars.

38 (6) The director may by rule require such further information or  
39 conditions for registration as a camping resort salesperson, including

1 qualifying examinations and fingerprint cards prepared by authorized  
2 law enforcement agencies, as the director deems necessary to protect  
3 the interests of purchasers.

4 (7) Registration as a camping resort salesperson shall be effective  
5 for a period of one year unless the director specifies otherwise or the  
6 salesperson transfers employment to a different registrant.  
7 Registration as a camping resort salesperson shall be renewed annually,  
8 or at the time of transferring employment, whichever occurs first, by  
9 the filing of a form prescribed by the director for that purpose.

10 (8) It is unlawful for a registrant of camping resort contracts to  
11 employ or a person to act as a camping resort salesperson covered under  
12 this section unless the salesperson has in effect with the department  
13 and displays a valid registration in a conspicuous location at each of  
14 the sales offices at which the salesperson is employed. It is the  
15 responsibility of both the operator and the salesperson to notify the  
16 department when and where a salesperson is employed, his or her  
17 responsibilities and duties, and when the salesperson's employment or  
18 reported duties are changed or terminated.

19 (9) The director shall immediately suspend the license or  
20 certificate of a person who has been certified pursuant to section 802  
21 of this act by the department of social and health services as a person  
22 who is not in compliance with a support order. If the person has  
23 continued to meet all other requirements for reinstatement during the  
24 suspension, reissuance of the license or certificate shall be automatic  
25 upon the director's receipt of a release issued by the department of  
26 social and health services stating that the licensee is in compliance  
27 with the order.

28 **Sec. 858.** RCW 19.138.130 and 1996 c 180 s 6 are each amended to  
29 read as follows:

30 (1) The director may deny, suspend, or revoke the registration of  
31 a seller of travel if the director finds that the applicant:

32 (a) Was previously the holder of a registration issued under this  
33 chapter, and the registration was revoked for cause and never reissued  
34 by the director, or the registration was suspended for cause and the  
35 terms of the suspension have not been fulfilled;

36 (b) Has been found guilty of a felony within the past five years  
37 involving moral turpitude, or of a misdemeanor concerning fraud or

1 conversion, or suffers a judgment in a civil action involving willful  
2 fraud, misrepresentation, or conversion;

3 (c) Has made a false statement of a material fact in an application  
4 under this chapter or in data attached to it;

5 (d) Has violated this chapter or failed to comply with a rule  
6 adopted by the director under this chapter;

7 (e) Has failed to display the registration as provided in this  
8 chapter;

9 (f) Has published or circulated a statement with the intent to  
10 deceive, misrepresent, or mislead the public; or

11 (g) Has committed a fraud or fraudulent practice in the operation  
12 and conduct of a travel agency business, including, but not limited to,  
13 intentionally misleading advertising.

14 (2) If the seller of travel is found in violation of this chapter  
15 or in violation of the consumer protection act, chapter 19.86 RCW, by  
16 the entry of a judgment or by settlement of a claim, the director may  
17 revoke the registration of the seller of travel, and the director may  
18 reinstate the registration at the director's discretion.

19 (3) The director shall immediately suspend the license or  
20 certificate of a person who has been certified pursuant to section 802  
21 of this act by the department of social and health services as a person  
22 who is not in compliance with a support order. If the person has  
23 continued to meet all other requirements for reinstatement during the  
24 suspension, reissuance of the license or certificate shall be automatic  
25 upon the director's receipt of a release issued by the department of  
26 social and health services stating that the licensee is in compliance  
27 with the order.

28 **Sec. 859.** RCW 19.158.050 and 1989 c 20 s 5 are each amended to  
29 read as follows:

30 (1) In order to maintain or defend a lawsuit or do any business in  
31 this state, a commercial telephone solicitor must be registered with  
32 the department of licensing. Prior to doing business in this state, a  
33 commercial telephone solicitor shall register with the department of  
34 licensing. Doing business in this state includes both commercial  
35 telephone solicitation from a location in Washington and solicitation  
36 of purchasers located in Washington.

37 (2) The department of licensing, in registering commercial  
38 telephone solicitors, shall have the authority to require the

1 submission of information necessary to assist in identifying and  
2 locating a commercial telephone solicitor, including past business  
3 history, prior judgments, and such other information as may be useful  
4 to purchasers.

5 (3) The department of licensing shall issue a registration number  
6 to the commercial telephone solicitor.

7 (4) It is a violation of this chapter for a commercial telephone  
8 solicitor to:

9 (a) Fail to maintain a valid registration;

10 (b) Advertise that one is registered as a commercial telephone  
11 solicitor or to represent that such registration constitutes approval  
12 or endorsement by any government or governmental office or agency;

13 (c) Provide inaccurate or incomplete information to the department  
14 of licensing when making a registration application; or

15 (d) Represent that a person is registered or that such person has  
16 a valid registration number when such person does not.

17 (5) An annual registration fee shall be assessed by the department  
18 of licensing, the amount of which shall be determined at the discretion  
19 of the director of the department of licensing, and which shall be  
20 reasonably related to the cost of administering the provisions of this  
21 chapter.

22 (6) The department shall immediately suspend the license or  
23 certificate of a person who has been certified pursuant to section 802  
24 of this act by the department of social and health services as a person  
25 who is not in compliance with a support order. If the person has  
26 continued to meet all other requirements for reinstatement during the  
27 suspension, reissuance of the license or certificate shall be automatic  
28 upon the department's receipt of a release issued by the department of  
29 social and health services stating that the licensee is in compliance  
30 with the order.

31 **Sec. 860.** RCW 19.166.040 and 1995 c 60 s 2 are each amended to  
32 read as follows:

33 (1) An application for registration as an international student  
34 exchange visitor placement organization shall be submitted in the form  
35 prescribed by the secretary of state. The application shall include:

36 (a) Evidence that the organization meets the standards established  
37 by the secretary of state under RCW 19.166.050;

1 (b) The name, address, and telephone number of the organization,  
2 its chief executive officer, and the person within the organization who  
3 has primary responsibility for supervising placements within the state;

4 (c) The organization's unified business identification number, if  
5 any;

6 (d) The organization's United States Information Agency number, if  
7 any;

8 (e) Evidence of council on standards for international educational  
9 travel listing, if any;

10 (f) Whether the organization is exempt from federal income tax; and

11 (g) A list of the organization's placements in Washington for the  
12 previous academic year including the number of students placed, their  
13 home countries, the school districts in which they were placed, and the  
14 length of their placements.

15 (2) The application shall be signed by the chief executive officer  
16 of the organization and the person within the organization who has  
17 primary responsibility for supervising placements within Washington.  
18 If the secretary of state determines that the application is complete,  
19 the secretary of state shall file the application and the applicant is  
20 registered.

21 (3) International student exchange visitor placement organizations  
22 that have registered shall inform the secretary of state of any changes  
23 in the information required under subsection (1) of this section within  
24 thirty days of the change.

25 (4) Registration shall be renewed annually as established by rule  
26 by the office of the secretary of state.

27 (5) The office of the secretary of state shall immediately suspend  
28 the license or certificate of a person who has been certified pursuant  
29 to section 802 of this act by the department of social and health  
30 services as a person who is not in compliance with a support order. If  
31 the person has continued to meet all other requirements for  
32 reinstatement during the suspension, reissuance of the license or  
33 certificate shall be automatic upon the office of the secretary of  
34 state's receipt of a release issued by the department of social and  
35 health services stating that the licensee is in compliance with the  
36 order.

37 NEW SECTION. Sec. 861. A new section is added to chapter 20.01  
38 RCW to read as follows:

1 The director shall immediately suspend the license or certificate  
2 of a person who has been certified pursuant to section 802 of this act  
3 by the department of social and health services as a person who is not  
4 in compliance with a support order. If the person has continued to  
5 meet all other requirements for reinstatement during the suspension,  
6 reissuance of the license or certificate shall be automatic upon the  
7 director's receipt of a release issued by the department of social and  
8 health services stating that the licensee is in compliance with the  
9 order.

10 **Sec. 862.** RCW 21.20.110 and 1994 c 256 s 10 are each amended to  
11 read as follows:

12 The director may by order deny, suspend, or revoke registration of  
13 any broker-dealer, salesperson, investment adviser representative, or  
14 investment adviser; censure or fine the registrant or an officer,  
15 director, partner, or person occupying similar functions for a  
16 registrant; or restrict or limit a registrant's function or activity of  
17 business for which registration is required in this state; if the  
18 director finds that the order is in the public interest and that the  
19 applicant or registrant or, in the case of a broker-dealer or  
20 investment adviser, any partner, officer, or director:

21 (1) Has filed an application for registration under this section  
22 which, as of its effective date, or as of any date after filing in the  
23 case of an order denying effectiveness, was incomplete in any material  
24 respect or contained any statement which was, in the light of the  
25 circumstances under which it was made, false, or misleading with  
26 respect to any material fact;

27 (2) Has willfully violated or willfully failed to comply with any  
28 provision of this chapter or a predecessor act or any rule or order  
29 under this chapter or a predecessor act, or any provision of chapter  
30 21.30 RCW or any rule or order thereunder;

31 (3) Has been convicted, within the past five years, of any  
32 misdemeanor involving a security, or a commodity contract or commodity  
33 option as defined in RCW 21.30.010, or any aspect of the securities or  
34 investment commodities business, or any felony involving moral  
35 turpitude;

36 (4) Is permanently or temporarily enjoined by any court of  
37 competent jurisdiction from engaging in or continuing any conduct or

1 practice involving any aspect of the securities or investment  
2 commodities business;

3 (5) Is the subject of an order of the director denying, suspending,  
4 or revoking registration as a broker-dealer, salesperson, investment  
5 adviser, or investment adviser representative;

6 (6) Is the subject of an order entered within the past five years  
7 by the securities administrator of any other state or by the federal  
8 securities and exchange commission denying or revoking registration as  
9 a broker-dealer or salesperson, or a commodity broker-dealer or sales  
10 representative, or the substantial equivalent of those terms as defined  
11 in this chapter or by the commodity futures trading commission denying  
12 or revoking registration as a commodity merchant as defined in RCW  
13 21.30.010, or is the subject of an order of suspension or expulsion  
14 from membership in or association with a self-regulatory organization  
15 registered under the securities exchange act of 1934 or the federal  
16 commodity exchange act, or is the subject of a United States post  
17 office fraud order; but (a) the director may not institute a revocation  
18 or suspension proceeding under this clause more than one year from the  
19 date of the order relied on, and (b) the director may not enter any  
20 order under this clause on the basis of an order unless that order was  
21 based on facts which would currently constitute a ground for an order  
22 under this section;

23 (7) Has engaged in dishonest or unethical practices in the  
24 securities or investment commodities business;

25 (8) Is insolvent, either in the sense that his or her liabilities  
26 exceed his or her assets or in the sense that he or she cannot meet his  
27 or her obligations as they mature; but the director may not enter an  
28 order against a broker-dealer or investment adviser under this clause  
29 without a finding of insolvency as to the broker-dealer or investment  
30 adviser;

31 (9) Has not complied with a condition imposed by the director under  
32 RCW 21.20.100, or is not qualified on the basis of such factors as  
33 training, experience, or knowledge of the securities business; or

34 (10)(a) Has failed to supervise reasonably a salesperson or an  
35 investment adviser representative. For the purposes of this  
36 subsection, no person fails to supervise reasonably another person, if:

37 (i) There are established procedures, and a system for applying  
38 those procedures, that would reasonably be expected to prevent and

1 detect, insofar as practicable, any violation by another person of this  
2 chapter, or a rule or order under this chapter; and

3 (ii) The supervising person has reasonably discharged the duties  
4 and obligations required by these procedures and system without  
5 reasonable cause to believe that another person was violating this  
6 chapter or rules or orders under this chapter.

7 (b) The director may issue a summary order pending final  
8 determination of a proceeding under this section upon a finding that it  
9 is in the public interest and necessary or appropriate for the  
10 protection of investors. The director may not impose a fine under this  
11 section except after notice and opportunity for hearing. The fine  
12 imposed under this section may not exceed five thousand dollars for  
13 each act or omission that constitutes the basis for issuing the order.

14 The director shall immediately suspend the license or certificate  
15 of a person who has been certified pursuant to section 802 of this act  
16 by the department of social and health services as a person who is not  
17 in compliance with a support order. If the person has continued to  
18 meet all other requirements for reinstatement during the suspension,  
19 reissuance of the license or certificate shall be automatic upon the  
20 director's receipt of a release issued by the department of social and  
21 health services stating that the licensee is in compliance with the  
22 order.

23 NEW SECTION. Sec. 863. A new section is added to chapter 48.17  
24 RCW to read as follows:

25 The commissioner shall immediately suspend the license or  
26 certificate of a person who has been certified pursuant to section 802  
27 of this act by the department of social and health services as a person  
28 who is not in compliance with a support order. If the person has  
29 continued to meet all other requirements for reinstatement during the  
30 suspension, reissuance of the license or certificate shall be automatic  
31 upon the commissioner's receipt of a release issued by the department  
32 of social and health services stating that the licensee is in  
33 compliance with the order.

34 NEW SECTION. Sec. 864. A new section is added to chapter 74.15  
35 RCW to read as follows:

36 The secretary shall immediately suspend the license or certificate  
37 of a person who has been certified pursuant to section 802 of this act

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

8 NEW SECTION. **Sec. 865.** A new section is added to chapter 47.68  
9 RCW to read as follows:

10 The department shall immediately suspend the license or certificate  
11 of a person who has been certified pursuant to section 802 of this act  
12 by the department of social and health services as a person who is not  
13 in compliance with a support order. If the person has continued to  
14 meet all other requirements for reinstatement during the suspension,  
15 reissuance of the license or certificate shall be automatic upon the  
16 department's receipt of a release issued by the department of social  
17 and health services stating that the licensee is in compliance with the  
18 order.

19 NEW SECTION. **Sec. 866.** A new section is added to chapter 71.12  
20 RCW to read as follows:

21 The department of health shall immediately suspend the license or  
22 certificate of a person who has been certified pursuant to section 802  
23 of this act by the department of social and health services as a person  
24 who is not in compliance with a support order. If the person has  
25 continued to meet all other requirements for reinstatement during the  
26 suspension, reissuance of the license or certificate shall be automatic  
27 upon the department of health's receipt of a release issued by the  
28 department of social and health services stating that the licensee is  
29 in compliance with the order.

30 **Sec. 867.** RCW 66.20.320 and 1996 c 311 s 2 are each amended to  
31 read as follows:

32 (1) The board shall regulate a required alcohol server education  
33 program that includes:

34 (a) Development of the curriculum and materials for the education  
35 program;

36 (b) Examination and examination procedures;

1 (c) Certification procedures, enforcement policies, and penalties  
2 for education program instructors and providers;

3 (d) The curriculum for an approved class 12 alcohol permit training  
4 program that includes but is not limited to the following subjects:

5 (i) The physiological effects of alcohol including the effects of  
6 alcohol in combination with drugs;

7 (ii) Liability and legal information;

8 (iii) Driving while intoxicated;

9 (iv) Intervention with the problem customer, including ways to stop  
10 service, ways to deal with the belligerent customer, and alternative  
11 means of transportation to get the customer safely home;

12 (v) Methods for checking proper identification of customers;

13 (vi) Nationally recognized programs, such as TAM (Techniques in  
14 Alcohol Management) and TIPS (Training for Intervention Programs)  
15 modified to include Washington laws and regulations.

16 (2) The board shall provide the program through liquor licensee  
17 associations, independent contractors, private persons, private or  
18 public schools certified by the board, or any combination of such  
19 providers.

20 (3) Except as provided in section 869 of this act, each training  
21 entity shall provide a class 12 permit to the manager or bartender who  
22 has successfully completed a course the board has certified. A list of  
23 the individuals receiving the class 12 permit shall be forwarded to the  
24 board on the completion of each course given by the training entity.

25 (4) After January 1, 1997, the board shall require all alcohol  
26 servers applying for a class 13 alcohol server permit to view a video  
27 training session. Retail liquor licensees shall fully compensate  
28 employees for the time spent participating in this training session.

29 (5) When requested by a retail liquor licensee, the board shall  
30 provide copies of videotaped training programs that have been produced  
31 by private vendors and make them available for a nominal fee to cover  
32 the cost of purchasing and shipment, with the fees being deposited in  
33 the liquor revolving fund for distribution to the board as needed.

34 (6) Each training entity may provide the board with a video program  
35 of not less than one hour that covers the subjects in subsection  
36 (1)(d)(i) through (v) of this section that will be made available to a  
37 licensee for the training of a class 13 alcohol server.

1 (7) Except as provided in section 869 of this act, applicants shall  
2 be given a class 13 permit upon the successful completion of the  
3 program.

4 (8) A list of the individuals receiving the class 13 permit shall  
5 be forwarded to the board on the completion of each video training  
6 program.

7 (9) The board shall develop a model permit for the class 12 and 13  
8 permits. The board may provide such permits to training entities or  
9 licensees for a nominal cost to cover production.

10 (10)(a) Persons who have completed a nationally recognized alcohol  
11 management or intervention program since July 1, 1993, may be issued a  
12 class 12 or 13 permit upon providing proof of completion of such  
13 training to the board.

14 (b) Persons who completed the board's alcohol server training  
15 program after July 1, 1993, but before July 1, 1995, may be issued a  
16 class 13 permit upon providing proof of completion of such training to  
17 the board.

18 NEW SECTION. Sec. 868. A new section is added to chapter 66.20  
19 RCW to read as follows:

20 The board shall immediately suspend the license of a person who has  
21 been certified pursuant to section 802 of this act by the department of  
22 social and health services as a person who is not in compliance with a  
23 support order. If the person has continued to meet all other  
24 requirements for reinstatement during the suspension, reissuance of the  
25 license shall be automatic upon the board's receipt of a release issued  
26 by the department of social and health services stating that the  
27 licensee is in compliance with the order.

28 NEW SECTION. Sec. 869. A new section is added to chapter 66.24  
29 RCW to read as follows:

30 The board shall immediately suspend the license of a person who has  
31 been certified pursuant to section 802 of this act by the department of  
32 social and health services as a person who is not in compliance with a  
33 support order. If the person has continued to meet all other  
34 requirements for reinstatement during the suspension, reissuance of the  
35 license shall be automatic upon the board's receipt of a release issued  
36 by the department of social and health services stating that the  
37 licensee is in compliance with the order.

1        NEW SECTION.    **Sec. 870.**    A new section is added to chapter 88.02  
2    RCW to read as follows:

3        The department shall immediately suspend the vessel registration or  
4    vessel dealer's registration of a person who has been certified  
5    pursuant to section 802 of this act by the department of social and  
6    health services as a person who is not in compliance with a support  
7    order. If the person has continued to meet all other requirements for  
8    reinstatement during the suspension, reissuance of the registration  
9    shall be automatic upon the department's receipt of a release issued by  
10   the department of social and health services stating that the licensee  
11   is in compliance with the order.

12        **Sec. 871.**    RCW 67.08.040 and 1993 c 278 s 14 are each amended to  
13    read as follows:

14        Except as provided in RCW 67.08.100, upon the approval by the  
15    department of any application for a license, as hereinabove provided,  
16    and the filing of the bond the department shall forthwith issue such  
17    license.

18        **Sec. 872.**    RCW 67.08.100 and 1993 c 278 s 20 are each amended to  
19    read as follows:

20        (1) The department may grant annual licenses upon application in  
21    compliance with the rules and regulations prescribed by the director,  
22    and the payment of the fees, the amount of which is to be set by the  
23    director in accordance with RCW 43.24.086, prescribed to promoters,  
24    managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the  
25    provisions of this section shall not apply to contestants or  
26    participants in strictly amateur contests and/or fraternal  
27    organizations and/or veterans' organizations chartered by congress or  
28    the defense department or any bona fide athletic club which is a member  
29    of the Pacific northwest association of the amateur athletic union of  
30    the United States, holding and promoting athletic contests and where  
31    all funds are used primarily for the benefit of their members.

32        (2) Any such license may be revoked by the department for any cause  
33    which it shall deem sufficient.

34        (3) No person shall participate or serve in any of the above  
35    capacities unless licensed as provided in this chapter.

36        (4) The referee for any boxing contest shall be designated by the  
37    department from among such licensed referees.

1 (5) The referee for any wrestling exhibition or show shall be  
2 provided by the promoter and licensed by the department.

3 (6) The department shall immediately suspend the license or  
4 certificate of a person who has been certified pursuant to section 802  
5 of 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 or certificate shall be automatic  
9 upon the department's receipt of a release issued by the department of  
10 social and health services stating that the licensee is in compliance  
11 with the order.

12 **Sec. 873.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read  
13 as follows:

14 (1) The department shall not issue or renew a master license to any  
15 person if:

16 (a) The person does not have a valid tax registration, if required;

17 (b) The person is a corporation delinquent in fees or penalties  
18 owing to the secretary of state or is not validly registered under  
19 Title 23B RCW, chapter 18.100 RCW, Title 24 RCW, and any other statute  
20 now or hereafter adopted which gives corporate or business licensing  
21 responsibilities to the secretary of state; or

22 (c) The person has not submitted the sum of all fees and deposits  
23 required for the requested individual license endorsements, any  
24 outstanding master license delinquency fee, or other fees and penalties  
25 to be collected through the system.

26 (2) Nothing in this section shall prevent registration by the state  
27 of an employer for the purpose of paying an employee of that employer  
28 industrial insurance or unemployment insurance benefits.

29 (3) The department shall immediately suspend the license or  
30 certificate of a person who has been certified pursuant to section 802  
31 of 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 or certificate shall be automatic  
35 upon the department's receipt of a release issued by the department of  
36 social and health services stating that the licensee is in compliance  
37 with the order.

1           **Sec. 874.** RCW 43.24.080 and 1979 c 158 s 99 are each amended to  
2 read as follows:

3           Except as provided in section 877 of this act, at the close of each  
4 examination the department of licensing shall prepare the proper  
5 licenses, where no further fee is required to be paid, and issue  
6 licenses to the successful applicants signed by the director and notify  
7 all successful applicants, where a further fee is required, of the fact  
8 that they are entitled to receive such license upon the payment of such  
9 further fee to the department of licensing and notify all applicants  
10 who have failed to pass the examination of that fact.

11           **Sec. 875.** RCW 43.24.110 and 1986 c 259 s 149 are each amended to  
12 read as follows:

13           Except as provided in section 877 of this act, whenever there is  
14 filed in a matter under the jurisdiction of the director of licensing  
15 any complaint charging that the holder of a license has been guilty of  
16 any act or omission which by the provisions of the law under which the  
17 license was issued would warrant the revocation thereof, verified in  
18 the manner provided by law, the director of licensing shall request the  
19 governor to appoint, and the governor shall appoint within thirty days  
20 of the request, two qualified practitioners of the profession or  
21 calling of the person charged, who, with the director or his duly  
22 appointed representative, shall constitute a committee to hear and  
23 determine the charges and, in case the charges are sustained, impose  
24 the penalty provided by law. In addition, the governor shall appoint  
25 a consumer member of the committee.

26           The decision of any three members of such committee shall be the  
27 decision of the committee.

28           The appointed members of the committee shall be compensated in  
29 accordance with RCW 43.03.240 and shall be reimbursed for their travel  
30 expenses, in accordance with RCW 43.03.050 and 43.03.060.

31           **Sec. 876.** RCW 43.24.120 and 1987 c 202 s 212 are each amended to  
32 read as follows:

33           Except as provided in section 877 of this act, any person feeling  
34 aggrieved by the refusal of the director to issue a license, or to  
35 renew one, or by the revocation or suspension of a license shall have  
36 a right of appeal to superior court from the decision of the director

1 of licensing, which shall be taken, prosecuted, heard, and determined  
2 in the manner provided in chapter 34.05 RCW.

3 The decision of the superior court may be reviewed by the supreme  
4 court or the court of appeals in the same manner as other civil cases.

5 NEW SECTION. **Sec. 877.** A new section is added to chapter 43.24  
6 RCW to read as follows:

7 The department shall immediately suspend any license issued by the  
8 department of licensing of a person who has been certified pursuant to  
9 section 802 of this act by the department of social and health services  
10 as a person who is not in compliance with a support order. If the  
11 person has continued to meet all other requirements for reinstatement  
12 during the suspension, reissuance of the license shall be automatic  
13 upon the department's receipt of a release issued by the department of  
14 social and health services stating that the licensee is in compliance  
15 with the order.

16 **Sec. 878.** RCW 70.74.110 and 1988 c 198 s 5 are each amended to  
17 read as follows:

18 All persons engaged in the manufacture of explosives, or any  
19 process involving explosives, or where explosives are used as a  
20 component part in the manufacture of any article or device, on (~~the~~  
21 ~~date when this 1969 amendatory act takes effect~~) August 11, 1969,  
22 shall within sixty days thereafter, and all persons engaging in the  
23 manufacture of explosives, or any process involving explosives, or  
24 where explosives are used as a component part in the manufacture of any  
25 article or device after (~~this act takes effect~~) August 11, 1969,  
26 shall, before so engaging, make an application in writing, subscribed  
27 to by such person or his agent, to the department of labor and  
28 industries, the application stating:

- 29 (1) Location of place of manufacture or processing;  
30 (2) Kind of explosives manufactured, processed or used;  
31 (3) The distance that such explosives manufacturing building is  
32 located or intended to be located from the other factory buildings,  
33 magazines, inhabited buildings, railroads and highways and public  
34 utility transmission systems;  
35 (4) The name and address of the applicant;  
36 (5) The reason for desiring to manufacture explosives;  
37 (6) The applicant's citizenship, if the applicant is an individual;

1 (7) If the applicant is a partnership, the names and addresses of  
2 the partners, and their citizenship;

3 (8) If the applicant is an association or corporation, the names  
4 and addresses of the officers and directors thereof, and their  
5 citizenship; and

6 (9) Such other pertinent information as the director of labor and  
7 industries shall require to effectuate the purpose of this chapter.

8 There shall be kept in the main office on the premises of each  
9 explosives manufacturing plant a plan of said plant showing the  
10 location of all explosives manufacturing buildings and the distance  
11 they are located from other factory buildings where persons are  
12 employed and from magazines, and these plans shall at all times be open  
13 to inspection by duly authorized inspectors of the department of labor  
14 and industries. The superintendent of each plant shall upon demand of  
15 said inspector furnish the following information:

16 (a) The maximum amount and kind of explosive material which is or  
17 will be present in each building at one time.

18 (b) The nature and kind of work carried on in each building and  
19 whether or not said buildings are surrounded by natural or artificial  
20 barricades.

21 Except as provided in RCW 70.74.370, the department of labor and  
22 industries shall as soon as possible after receiving such application  
23 cause an inspection to be made of the explosives manufacturing plant,  
24 and if found to be in accordance with RCW 70.74.030 and 70.74.050 and  
25 70.74.061, such department shall issue a license to the person applying  
26 therefor showing compliance with the provisions of this chapter if the  
27 applicant demonstrates that either the applicant or the officers,  
28 agents or employees of the applicant are sufficiently experienced in  
29 the manufacture of explosives and the applicant meets the  
30 qualifications for a license under RCW 70.74.360. Such license shall  
31 continue in full force and effect until expired, suspended, or revoked  
32 by the department pursuant to this chapter.

33 **Sec. 879.** RCW 70.74.130 and 1988 c 198 s 7 are each amended to  
34 read as follows:

35 Every person desiring to engage in the business of dealing in  
36 explosives shall apply to the department of labor and industries for a  
37 license therefor. Said application shall state, among other things:

38 (1) The name and address of applicant;

1 (2) The reason for desiring to engage in the business of dealing in  
2 explosives;

3 (3) Citizenship, if an individual applicant;

4 (4) If a partnership, the names and addresses of the partners and  
5 their citizenship;

6 (5) If an association or corporation, the names and addresses of  
7 the officers and directors thereof and their citizenship; and

8 (6) Such other pertinent information as the director of labor and  
9 industries shall require to effectuate the purpose of this chapter.

10 Except as provided in RCW 70.74.370, the department of labor and  
11 industries shall issue the license if the applicant demonstrates that  
12 either the applicant or the principal officers, agents, or employees of  
13 the applicant are experienced in the business of dealing in explosives,  
14 possess suitable facilities therefor, have not been convicted of any  
15 crime that would warrant revocation or nonrenewal of a license under  
16 this chapter, and have never had an explosives-related license revoked  
17 under this chapter or under similar provisions of any other state.

18 **Sec. 880.** RCW 70.74.370 and 1988 c 198 s 4 are each amended to  
19 read as follows:

20 (1) The department of labor and industries shall revoke and not  
21 renew the license of any person holding a manufacturer, dealer,  
22 purchaser, user, or storage license upon conviction of any of the  
23 following offenses, which conviction has become final:

24 (a) A violent offense as defined in RCW 9.94A.030;

25 (b) A crime involving perjury or false swearing, including the  
26 making of a false affidavit or statement under oath to the department  
27 of labor and industries in an application or report made pursuant to  
28 this title;

29 (c) A crime involving bomb threats;

30 (d) A crime involving a schedule I or II controlled substance, or  
31 any other drug or alcohol related offense, unless such other drug or  
32 alcohol related offense does not reflect a drug or alcohol dependency.  
33 However, the department of labor and industries may condition renewal  
34 of the license to any convicted person suffering a drug or alcohol  
35 dependency who is participating in an alcoholism or drug recovery  
36 program acceptable to the department of labor and industries and has  
37 established control of their alcohol or drug dependency. The

1 department of labor and industries shall require the licensee to  
2 provide proof of such participation and control;

3 (e) A crime relating to possession, use, transfer, or sale of  
4 explosives under this chapter or any other chapter of the Revised Code  
5 of Washington.

6 (2) The department of labor and industries shall revoke the license  
7 of any person adjudged to be mentally ill or insane, or to be  
8 incompetent due to any mental disability or disease. The director  
9 shall not renew the license until the person has been restored to  
10 competency.

11 (3) The department of labor and industries is authorized to  
12 suspend, for a period of time not to exceed six months, the license of  
13 any person who has violated this chapter or the rules promulgated  
14 pursuant to this chapter.

15 (4) The department of labor and industries may revoke the license  
16 of any person who has repeatedly violated this chapter or the rules  
17 promulgated pursuant to this chapter, or who has twice had his or her  
18 license suspended under this chapter.

19 (5) The department of labor and industries shall immediately  
20 suspend the license or certificate of a person who has been certified  
21 pursuant to section 802 of this act by the department of social and  
22 health services as a person who is not in compliance with a support  
23 order. If the person has continued to meet all other requirements for  
24 reinstatement during the suspension, reissuance of the license or  
25 certificate shall be automatic upon the department of labor and  
26 industries' receipt of a release issued by the department of social and  
27 health services stating that the licensee is in compliance with the  
28 order.

29 (6) Upon receipt of notification by the department of labor and  
30 industries of revocation or suspension, a licensee must surrender  
31 immediately to the department any or all such licenses revoked or  
32 suspended.

33 **Sec. 881.** RCW 66.24.010 and 1995 c 232 s 1 are each amended to  
34 read as follows:

35 (1) Every license shall be issued in the name of the applicant, and  
36 the holder thereof shall not allow any other person to use the license.

37 (2) For the purpose of considering any application for a license,  
38 the board may cause an inspection of the premises to be made, and may

1 inquire into all matters in connection with the construction and  
2 operation of the premises. For the purpose of reviewing any  
3 application for a license and for considering the denial, suspension or  
4 revocation of any license, the liquor control board may consider any  
5 prior criminal conduct of the applicant and the provisions of RCW  
6 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The  
7 board may, in its discretion, grant or refuse the license applied for.  
8 Authority to approve an uncontested or unopposed license may be granted  
9 by the board to any staff member the board designates in writing.  
10 Conditions for granting such authority shall be adopted by rule. No  
11 retail license of any kind may be issued to:

12 (a) A person who has not resided in the state for at least one  
13 month prior to making application, except in cases of licenses issued  
14 to dining places on railroads, boats, or aircraft;

15 (b) A copartnership, unless all of the members thereof are  
16 qualified to obtain a license, as provided in this section;

17 (c) A person whose place of business is conducted by a manager or  
18 agent, unless such manager or agent possesses the same qualifications  
19 required of the licensee; or

20 (d) A corporation, unless it was created under the laws of the  
21 state of Washington or holds a certificate of authority to transact  
22 business in the state of Washington.

23 (3)(a) The board may, in its discretion, subject to the provisions  
24 of RCW 66.08.150, suspend or cancel any license; and all rights of the  
25 licensee to keep or sell liquor thereunder shall be suspended or  
26 terminated, as the case may be.

27 (b) The board shall immediately suspend the license or certificate  
28 of a person who has been certified pursuant to section 802 of this act  
29 by the department of social and health services as a person who is not  
30 in compliance with a support order. If the person has continued to  
31 meet all other requirements for reinstatement during the suspension,  
32 reissuance of the license or certificate shall be automatic upon the  
33 board's receipt of a release issued by the department of social and  
34 health services stating that the licensee is in compliance with the  
35 order.

36 (c) The board may request the appointment of administrative law  
37 judges under chapter 34.12 RCW who shall have power to administer  
38 oaths, issue subpoenas for the attendance of witnesses and the  
39 production of papers, books, accounts, documents, and testimony,

1 examine witnesses, and to receive testimony in any inquiry,  
2 investigation, hearing, or proceeding in any part of the state, under  
3 such rules and regulations as the board may adopt.

4 (d) Witnesses shall be allowed fees and mileage each way to and  
5 from any such inquiry, investigation, hearing, or proceeding at the  
6 rate authorized by RCW 34.05.446, as now or hereafter amended. Fees  
7 need not be paid in advance of appearance of witnesses to testify or to  
8 produce books, records, or other legal evidence.

9 (e) In case of disobedience of any person to comply with the order  
10 of the board or a subpoena issued by the board, or any of its members,  
11 or administrative law judges, or on the refusal of a witness to testify  
12 to any matter regarding which he or she may be lawfully interrogated,  
13 the judge of the superior court of the county in which the person  
14 resides, on application of any member of the board or administrative  
15 law judge, shall compel obedience by contempt proceedings, as in the  
16 case of disobedience of the requirements of a subpoena issued from said  
17 court or a refusal to testify therein.

18 (4) Upon receipt of notice of the suspension or cancellation of a  
19 license, the licensee shall forthwith deliver up the license to the  
20 board. Where the license has been suspended only, the board shall  
21 return the license to the licensee at the expiration or termination of  
22 the period of suspension. The board shall notify all vendors in the  
23 city or place where the licensee has its premises of the suspension or  
24 cancellation of the license; and no employee may allow or cause any  
25 liquor to be delivered to or for any person at the premises of that  
26 licensee.

27 (5)(a) At the time of the original issuance of a class H license,  
28 the board shall prorate the license fee charged to the new licensee  
29 according to the number of calendar quarters, or portion thereof,  
30 remaining until the first renewal of that license is required.

31 (b) Unless sooner canceled, every license issued by the board shall  
32 expire at midnight of the thirtieth day of June of the fiscal year for  
33 which it was issued. However, if the board deems it feasible and  
34 desirable to do so, it may establish, by rule pursuant to chapter 34.05  
35 RCW, a system for staggering the annual renewal dates for any and all  
36 licenses authorized by this chapter. If such a system of staggered  
37 annual renewal dates is established by the board, the license fees  
38 provided by this chapter shall be appropriately prorated during the  
39 first year that the system is in effect.

1 (6) Every license issued under this section shall be subject to all  
2 conditions and restrictions imposed by this title or by the regulations  
3 in force from time to time. All conditions and restrictions imposed by  
4 the board in the issuance of an individual license shall be listed on  
5 the face of the individual license along with the trade name, address,  
6 and expiration date.

7 (7) Every licensee shall post and keep posted its license, or  
8 licenses, in a conspicuous place on the premises.

9 (8) Before the board shall issue a license to an applicant it shall  
10 give notice of such application to the chief executive officer of the  
11 incorporated city or town, if the application be for a license within  
12 an incorporated city or town, or to the county legislative authority,  
13 if the application be for a license outside the boundaries of  
14 incorporated cities or towns; and such incorporated city or town,  
15 through the official or employee selected by it, or the county  
16 legislative authority or the official or employee selected by it, shall  
17 have the right to file with the board within twenty days after date of  
18 transmittal of such notice, written objections against the applicant or  
19 against the premises for which the license is asked, and shall include  
20 with such objections a statement of all facts upon which such  
21 objections are based, and in case written objections are filed, may  
22 request and the liquor control board may in its discretion hold a  
23 formal hearing subject to the applicable provisions of Title 34 RCW.  
24 Upon the granting of a license under this title the board shall send a  
25 duplicate of the license or written notification to the chief executive  
26 officer of the incorporated city or town in which the license is  
27 granted, or to the county legislative authority if the license is  
28 granted outside the boundaries of incorporated cities or towns.

29 (9) Before the board issues any license to any applicant, it shall  
30 give (a) due consideration to the location of the business to be  
31 conducted under such license with respect to the proximity of churches,  
32 schools, and public institutions and (b) written notice by certified  
33 mail of the application to churches, schools, and public institutions  
34 within five hundred feet of the premises to be licensed. The board  
35 shall issue no beer retailer license class A, B, D, or E or wine  
36 retailer license class C or F or class H license covering any premises  
37 not now licensed, if such premises are within five hundred feet of the  
38 premises of any tax-supported public elementary or secondary school  
39 measured along the most direct route over or across established public

1 walks, streets, or other public passageway from the outer property line  
2 of the school grounds to the nearest public entrance of the premises  
3 proposed for license, and if, after receipt by the school or public  
4 institution of the notice as provided in this subsection, the board  
5 receives written notice, within twenty days after posting such notice,  
6 from an official representative or representatives of the school within  
7 five hundred feet of said proposed licensed premises, indicating to the  
8 board that there is an objection to the issuance of such license  
9 because of proximity to a school. For the purpose of this section,  
10 church shall mean a building erected for and used exclusively for  
11 religious worship and schooling or other activity in connection  
12 therewith. No liquor license may be issued or reissued by the board to  
13 any motor sports facility or licensee operating within the motor sports  
14 facility unless the motor sports facility enforces a program reasonably  
15 calculated to prevent alcohol or alcoholic beverages not purchased  
16 within the facility from entering the facility and such program is  
17 approved by local law enforcement agencies. It is the intent under  
18 this subsection that a retail license shall not be issued by the board  
19 where doing so would, in the judgment of the board, adversely affect a  
20 private school meeting the requirements for private schools under Title  
21 28A RCW, which school is within five hundred feet of the proposed  
22 licensee. The board shall fully consider and give substantial weight  
23 to objections filed by private schools. If a license is issued despite  
24 the proximity of a private school, the board shall state in a letter  
25 addressed to the private school the board's reasons for issuing the  
26 license.

27 (10) The restrictions set forth in subsection (9) of this section  
28 shall not prohibit the board from authorizing the assumption of  
29 existing licenses now located within the restricted area by other  
30 persons or licenses or relocations of existing licensed premises within  
31 the restricted area. In no case may the licensed premises be moved  
32 closer to a church or school than it was before the assumption or  
33 relocation.

34 (11) Nothing in this section prohibits the board, in its  
35 discretion, from issuing a temporary retail or wholesaler license to an  
36 applicant assuming an existing retail or wholesaler license to continue  
37 the operation of the retail or wholesaler premises during the period  
38 the application for the license is pending and when the following  
39 conditions exist:

1 (a) The licensed premises has been operated under a retail or  
2 wholesaler license within ninety days of the date of filing the  
3 application for a temporary license;

4 (b) The retail or wholesaler license for the premises has been  
5 surrendered pursuant to issuance of a temporary operating license;

6 (c) The applicant for the temporary license has filed with the  
7 board an application to assume the retail or wholesaler license at such  
8 premises to himself or herself; and

9 (d) The application for a temporary license is accompanied by a  
10 temporary license fee established by the board by rule.

11 A temporary license issued by the board under this section shall be  
12 for a period not to exceed sixty days. A temporary license may be  
13 extended at the discretion of the board for an additional sixty-day  
14 period upon payment of an additional fee and upon compliance with all  
15 conditions required in this section.

16 Refusal by the board to issue or extend a temporary license shall  
17 not entitle the applicant to request a hearing. A temporary license  
18 may be canceled or suspended summarily at any time if the board  
19 determines that good cause for cancellation or suspension exists. RCW  
20 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

21 Application for a temporary license shall be on such form as the  
22 board shall prescribe. If an application for a temporary license is  
23 withdrawn before issuance or is refused by the board, the fee which  
24 accompanied such application shall be refunded in full.

25 **Sec. 882.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to  
26 read as follows:

27 (1) The department shall issue a certificate of manufactured home  
28 installation to an applicant who has taken the training course, passed  
29 the examination, paid the fees, and in all other respects (~~meet[s]~~)  
30 meets the qualifications. The certificate shall bear the date of  
31 issuance, a certification identification number, and is renewable every  
32 three years upon application and completion of a continuing education  
33 program as determined by the department. A renewal fee shall be  
34 assessed for each certificate. If a person fails to renew a  
35 certificate by the renewal date, the person must retake the examination  
36 and pay the examination fee.

37 (2) The certificate of manufactured home installation provided for  
38 in this chapter grants the holder the right to engage in manufactured

1 home installation throughout the state, without any other installer  
2 certification.

3 (3) The department shall immediately suspend the license or  
4 certificate of a person who has been certified pursuant to section 802  
5 of 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 or certificate shall be automatic  
9 upon the department's receipt of a release issued by the department of  
10 social and health services stating that the licensee is in compliance  
11 with the order.

12 **Sec. 883.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to  
13 read as follows:

14 (1) The department shall establish a process to certify incinerator  
15 and landfill operators. To the greatest extent possible, the  
16 department shall rely on the certification standards and procedures  
17 developed by national organizations and the federal government.

18 (2) Operators shall be certified if they:

19 (a) Attend the required training sessions;

20 (b) Successfully complete required examinations; and

21 (c) Pay the prescribed fee.

22 (3) By January 1, 1991, the department shall adopt rules to require  
23 incinerator and appropriate landfill operators to:

24 (a) Attend a training session concerning the operation of the  
25 relevant type of landfill or incinerator;

26 (b) Demonstrate sufficient skill and competency for proper  
27 operation of the incinerator or landfill by successfully completing an  
28 examination prepared by the department; and

29 (c) Renew the certificate of competency at reasonable intervals  
30 established by the department.

31 (4) The department shall provide for the collection of fees for the  
32 issuance and renewal of certificates. These fees shall be sufficient  
33 to recover the costs of the certification program.

34 (5) The department shall establish an appeals process for the  
35 denial or revocation of a certificate.

36 (6) The department shall establish a process to automatically  
37 certify operators who have received comparable certification from

1 another state, the federal government, a local government, or a  
2 professional association.

3 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or  
4 operator of an incinerator or landfill may apply to the department for  
5 interim certification. Operators shall receive interim certification  
6 if they:

7 (a) Have received training provided by a recognized national  
8 organization, educational institution, or the federal government that  
9 is acceptable to the department; or

10 (b) Have received individualized training in a manner approved by  
11 the department; and

12 (c) Have successfully completed any required examinations.

13 (8) No interim certification shall be valid after January 1, 1992,  
14 and interim certification shall not automatically qualify operators for  
15 certification pursuant to subsections (2) through (4) of this section.

16 (9) The department shall immediately suspend the license or  
17 certificate of a person who has been certified pursuant to section 802  
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 reinstatement during the  
21 suspension, reissuance of the license or certificate shall be automatic  
22 upon the department's receipt of a release issued by the department of  
23 social and health services stating that the licensee is in compliance  
24 with the order.

25 NEW SECTION. Sec. 884. A new section is added to chapter 70.95B  
26 RCW to read as follows:

27 The director shall immediately suspend the license or certificate  
28 of a person who has been certified pursuant to section 802 of this act  
29 by the department of social and health services as a person who is not  
30 in compliance with a support order. If the person has continued to  
31 meet all other requirements for reinstatement during the suspension,  
32 reissuance of the license or certificate shall be automatic upon the  
33 director's receipt of a release issued by the department of social and  
34 health services stating that the licensee is in compliance with the  
35 order.

36 **Sec. 885.** RCW 17.21.130 and 1994 c 283 s 15 are each amended to  
37 read as follows:

1 Any license, permit, or certification provided for in this chapter  
2 may be revoked or suspended, and any license, permit, or certification  
3 application may be denied by the director for cause. If the director  
4 suspends a license under this chapter with respect to activity of a  
5 continuing nature under chapter 34.05 RCW, the director may elect to  
6 suspend the license for a subsequent license year during a period that  
7 coincides with the period commencing thirty days before and ending  
8 thirty days after the date of the incident or incidents giving rise to  
9 the violation.

10 The director shall immediately suspend the license or certificate  
11 of a person who has been certified pursuant to section 802 of this act  
12 by the department of social and health services as a person who is not  
13 in compliance with a support order. If the person has continued to  
14 meet all other requirements for reinstatement during the suspension,  
15 reissuance of the license or certificate shall be automatic upon the  
16 director's receipt of a release issued by the department of social and  
17 health services stating that the licensee is in compliance with the  
18 order.

19 **Sec. 886.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to  
20 read as follows:

21 (1) After January 1, 1991, a contractor may not perform  
22 decontamination, demolition, or disposal work unless issued a  
23 certificate by the state department of health. The department shall  
24 establish performance standards for contractors by rule in accordance  
25 with chapter 34.05 RCW, the administrative procedure act. The  
26 department shall train and test, or may approve courses to train and  
27 test, contractors and their employees on the essential elements in  
28 assessing property used as an illegal drug manufacturing or storage  
29 site to determine hazard reduction measures needed, techniques for  
30 adequately reducing contaminants, use of personal protective equipment,  
31 methods for proper demolition, removal, and disposal of contaminated  
32 property, and relevant federal and state regulations. Upon successful  
33 completion of the training, the contractor or employee shall be  
34 certified.

35 (2) The department may require the successful completion of annual  
36 refresher courses provided or approved by the department for the  
37 continued certification of the contractor or employee.

1 (3) The department shall provide for reciprocal certification of  
2 any individual trained to engage in decontamination, demolition, or  
3 disposal work in another state when the prior training is shown to be  
4 substantially similar to the training required by the department. The  
5 department may require such individuals to take an examination or  
6 refresher course before certification.

7 (4) The department may deny, suspend, or revoke a certificate for  
8 failure to comply with the requirements of this chapter or any rule  
9 adopted pursuant to this chapter. A certificate may be denied,  
10 suspended, or revoked on any of the following grounds:

11 (a) Failing to perform decontamination, demolition, or disposal  
12 work under the supervision of trained personnel;

13 (b) Failing to file a work plan;

14 (c) Failing to perform work pursuant to the work plan;

15 (d) Failing to perform work that meets the requirements of the  
16 department; ~~((or))~~

17 (e) The certificate was obtained by error, misrepresentation, or  
18 fraud; or

19 (f) If the person has been certified pursuant to section 802 of  
20 this act by the department of social and health services as a person  
21 who is not in compliance with a support order. If the person has  
22 continued to meet all other requirements for reinstatement during the  
23 suspension, reissuance of the license or certificate shall be automatic  
24 upon the department's receipt of a release issued by the department of  
25 social and health services stating that the person is in compliance  
26 with the order.

27 (5) A contractor who violates any provision of this chapter may be  
28 assessed a fine not to exceed five hundred dollars for each violation.

29 (6) The department of health shall prescribe fees as provided for  
30 in RCW 43.70.250 for the issuance and renewal of certificates, the  
31 administration of examinations, and for the review of training courses.

32 (7) The decontamination account is hereby established in the state  
33 treasury. All fees collected under this chapter shall be deposited in  
34 this account. Moneys in the account may only be spent after  
35 appropriation for costs incurred by the department in the  
36 administration and enforcement of this chapter.

37 **Sec. 887.** RCW 19.146.220 and 1996 c 103 s 1 are each amended to  
38 read as follows:

1 (1) The director shall enforce all laws and rules relating to the  
2 licensing of mortgage brokers, grant or deny licenses to mortgage  
3 brokers, and hold hearings.

4 (2) The director may impose the following sanctions:

5 (a) Deny applications for licenses for: (i) Violations of orders,  
6 including cease and desist orders issued under this chapter; or (ii)  
7 any violation of RCW 19.146.050 or 19.146.0201 (1) through (9);

8 (b) Suspend or revoke licenses for:

9 (i) False statements or omission of material information on the  
10 application that, if known, would have allowed the director to deny the  
11 application for the original license;

12 (ii) Failure to pay a fee required by the director or maintain the  
13 required bond;

14 (iii) Failure to comply with any directive or order of the  
15 director; or

16 (iv) Any violation of RCW 19.146.050, 19.146.0201 (1) through (9)  
17 or (13), 19.146.205(3), or 19.146.265;

18 (c) Impose fines on the licensee, employee or loan originator of  
19 the licensee, or other person subject to this chapter for:

20 (i) Any violations of RCW 19.146.0201 (1) through (9) or (13),  
21 19.146.030 through 19.146.090, 19.146.200, 19.146.205(3), or  
22 19.146.265; or

23 (ii) Failure to comply with any directive or order of the director;

24 (d) Issue orders directing a licensee, its employee or loan  
25 originator, or other person subject to this chapter to:

26 (i) Cease and desist from conducting business in a manner that is  
27 injurious to the public or violates any provision of this chapter; or

28 (ii) Pay restitution to an injured borrower; or

29 (e) Issue orders removing from office or prohibiting from  
30 participation in the conduct of the affairs of a licensed mortgage  
31 broker, or both, any officer, principal, employee, or loan originator  
32 of any licensed mortgage broker or any person subject to licensing  
33 under this chapter for:

34 (i) Any violation of 19.146.0201 (1) through (9) or (13),  
35 19.146.030 through 19.146.090, 19.146.200, 19.146.205(3), or  
36 19.146.265; or

37 (ii) False statements or omission of material information on the  
38 application that, if known, would have allowed the director to deny the  
39 application for the original license;

1 (iii) Conviction of a gross misdemeanor involving dishonesty or  
2 financial misconduct or a felony after obtaining a license; or

3 (iv) Failure to comply with any directive or order of the director.

4 (3) Each day's continuance of a violation or failure to comply with  
5 any directive or order of the director is a separate and distinct  
6 violation or failure.

7 (4) The director shall establish by rule standards for licensure of  
8 applicants licensed in other jurisdictions. Every licensed mortgage  
9 broker that does not maintain a physical office within the state must  
10 maintain a registered agent within the state to receive service of any  
11 lawful process in any judicial or administrative noncriminal suit,  
12 action, or proceeding, against the licensed mortgage broker which  
13 arises under this chapter or any rule or order under this chapter, with  
14 the same force and validity as if served personally on the licensed  
15 mortgage broker. Service upon the registered agent shall be effective  
16 if the plaintiff, who may be the director in a suit, action, or  
17 proceeding instituted by him or her, sends notice of the service and a  
18 copy of the process by registered mail to the defendant or respondent  
19 at the last address of the respondent or defendant on file with the  
20 director. In any judicial action, suit, or proceeding arising under  
21 this chapter or any rule or order adopted under this chapter between  
22 the department or director and a licensed mortgage broker who does not  
23 maintain a physical office in this state, venue shall be exclusively in  
24 the superior court of Thurston county.

25 (5) The director shall immediately suspend the license or  
26 certificate of a person who has been certified pursuant to section 802  
27 of this act by the department of social and health services as a person  
28 who is not in compliance with a support order. If the person has  
29 continued to meet all other requirements for reinstatement during the  
30 suspension, reissuance of the license or certificate shall be automatic  
31 upon the director's receipt of a release issued by the department of  
32 social and health services stating that the licensee is in compliance  
33 with the order.

34 NEW SECTION. Sec. 888. A new section is added to chapter 75.25  
35 RCW to read as follows:

36 The director shall immediately suspend the license or certificate  
37 of a person who has been certified pursuant to section 802 of this act  
38 by the department of social and health services as a person who is not

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

7 NEW SECTION. **Sec. 889.** A new section is added to chapter 77.32  
8 RCW to read as follows:

9 The director shall immediately suspend the license or certificate  
10 of a person who has been certified pursuant to section 802 of this act  
11 by the department of social and health services as a person who is not  
12 in compliance with a support order. If the person has continued to  
13 meet all other requirements for reinstatement during the suspension,  
14 reissuance of the license or certificate shall be automatic upon the  
15 director's receipt of a release issued by the department of social and  
16 health services stating that the licensee is in compliance with the  
17 order.

18 **Sec. 890.** RCW 75.25.150 and 1994 c 255 s 7 are each amended to  
19 read as follows:

20 It is unlawful to dig for, fish for, harvest, or possess shellfish,  
21 food fish, or seaweed without the licenses required by this chapter or  
22 with a suspended license pursuant to section 802 of this act.

23 NEW SECTION. **Sec. 891.** A new section is added to chapter 75.25  
24 RCW to read as follows:

25 Licenses issued pursuant to this chapter shall be invalid for any  
26 period in which a person is certified by the department of social and  
27 health services as a person in noncompliance with a support order.  
28 Fisheries patrol officers, ex officio fisheries patrol officers, and  
29 authorized fisheries employees shall enforce this section through  
30 checks of the department of licensing's computer data base.  
31 Presentation of a release issued by the department of social and health  
32 services stating that the person is in compliance with an order shall  
33 serve as prima facie proof of compliance with a support order.

34 NEW SECTION. **Sec. 892.** A new section is added to chapter 77.32  
35 RCW to read as follows:

1 Licenses issued pursuant to this chapter shall be invalid for any  
2 period in which a person is certified by the department of social and  
3 health services as a person in noncompliance with a support order.  
4 Wildlife agents and ex officio wildlife agents shall enforce this  
5 section through checks of the department of licensing's computer data  
6 base. Presentation of a release issued by the department of social and  
7 health services stating that the person is in compliance with an order  
8 shall serve as prima facie proof of compliance with a support order.

9 **Sec. 893.** RCW 75.28.010 and 1993 c 340 s 2 are each amended to  
10 read as follows:

11 (1) Except as otherwise provided by this title, it is unlawful to  
12 engage in any of the following activities without a license or permit  
13 issued by the director:

- 14 (a) Commercially fish for or take food fish or shellfish;
- 15 (b) Deliver food fish or shellfish taken in offshore waters;
- 16 (c) Operate a charter boat or commercial fishing vessel engaged in  
17 a fishery;
- 18 (d) Engage in processing or wholesaling food fish or shellfish; or
- 19 (e) Act as a guide for salmon for personal use in freshwater rivers  
20 and streams, other than that part of the Columbia river below the  
21 bridge at Longview.

22 (2) No person may engage in the activities described in subsection  
23 (1) of this section unless the licenses or permits required by this  
24 title are in the person's possession, (~~and~~) the person is the named  
25 license holder or an alternate operator designated on the license, and  
26 the person's license is not suspended pursuant to section 894 of this  
27 act.

28 (3) A valid Oregon license that is equivalent to a license under  
29 this title is valid in the concurrent waters of the Columbia river if  
30 the state of Oregon recognizes as valid the equivalent Washington  
31 license. The director may identify by rule what Oregon licenses are  
32 equivalent.

33 (4) No license or permit is required for the production or  
34 harvesting of private sector cultured aquatic products as defined in  
35 RCW 15.85.020 or for the delivery, processing, or wholesaling of such  
36 aquatic products. However, if a means of identifying such products is  
37 required by rules adopted under RCW 15.85.060, the exemption from  
38 licensing or permit requirements established by this subsection applies

1 only if the aquatic products are identified in conformance with those  
2 rules.

3 NEW SECTION. **Sec. 894.** A new section is added to chapter 75.28  
4 RCW to read as follows:

5 The department shall immediately suspend the license of a person  
6 who has been certified pursuant to section 802 of this act by the  
7 department of social and health services as a person who is not in  
8 compliance with a support order. If the person has continued to meet  
9 all other requirements for reinstatement during the suspension,  
10 reissuance of the license shall be automatic upon the department's  
11 receipt of a release issued by the department of social and health  
12 services stating that the licensee is in compliance with the order.

13 NEW SECTION. **Sec. 895.** (1) The director of the department of fish  
14 and wildlife and the director of the department of information services  
15 shall jointly develop a comprehensive, state-wide implementation plan  
16 for the automated issuance, revocation, and general administration of  
17 hunting, fishing, and recreational licenses administered under the  
18 authority of the department of fish and wildlife to ensure compliance  
19 with the license suspension requirements for failure to pay child  
20 support in section 802 of this act.

21 (2) The plan shall detail the implementation steps necessary to  
22 effectuate the automated administration of hunting, fishing, and  
23 recreational licenses and shall include recommendations regarding all  
24 costs and equipment associated with the plan.

25 (3) The plan shall be submitted to the legislature for review by  
26 September 1, 1997.

27 **Sec. 896.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to  
28 read as follows:

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

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

1 (b) A statement that ~~((a notice of payroll deduction may be issued,~~  
2 ~~or other income withholding action under chapter 26.18 or 74.20A RCW~~  
3 ~~may be taken))~~ withholding action may be taken against wages, earnings,  
4 assets, or benefits, and liens enforced against real and personal  
5 property under the child support statutes of this or any other state,  
6 without further notice to the responsible parent at any time after  
7 entry of the court order, unless:

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

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

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

16 (d) A statement that the responsible parent's privileges to obtain  
17 and maintain a license, as defined in section 802 of this act, may not  
18 be renewed, or may be suspended if the parent is not in compliance with  
19 a support order as defined in section 802 of this act.

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

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

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

32 (i) A statement that ~~((a notice of payroll deduction may be issued~~  
33 ~~or other income))~~ withholding action ~~((under chapter 26.18 or 74.20A~~  
34 ~~RCW))~~ may be taken against wages, earnings, assets, or benefits, and  
35 liens enforced against real and personal property under the child  
36 support statutes of this or any other state, without further notice to  
37 the responsible parent at any time after entry of the court order,  
38 unless:

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

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

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

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

13 (i) Immediate income withholding may be ordered if the responsible  
14 parent has earnings. If immediate income withholding is ordered under  
15 this subsection, all support payments shall be paid to the Washington  
16 state support registry. The superior court shall issue a mandatory  
17 wage assignment order as set forth in chapter 26.18 RCW when the  
18 support order is signed by the court. The parent entitled to receive  
19 the transfer payment is responsible for serving the employer with the  
20 order and for its enforcement as set forth in chapter 26.18 RCW.

21 (ii) If immediate income withholding is not ordered, the court  
22 shall require that income withholding be delayed until a payment is  
23 past due. The support order shall contain a statement that (~~a notice~~  
24 ~~of payroll deduction may be issued, or other income withholding action~~  
25 ~~under chapter 26.18 or 74.20A RCW may be taken~~) withholding action may  
26 be taken against wages, earnings, assets, or benefits, and liens  
27 enforced against real and personal property under the child support  
28 statutes of this or any other state, without further notice to the  
29 responsible parent, after a payment is past due.

30 (c) If a mandatory wage withholding order under chapter 26.18 RCW  
31 is issued under this subsection and the (~~office of support~~  
32 ~~enforcement~~) division of child support provides support enforcement  
33 services under RCW 26.23.045, the existing wage withholding assignment  
34 is prospectively superseded upon the (~~office of support~~  
35 ~~enforcement's~~) division of child support's subsequent service of an  
36 income withholding notice.

37 (3) The office of administrative hearings and the department of  
38 social and health services shall require that all support obligations  
39 established as administrative orders include a provision which orders

1 and directs that the responsible parent shall make all support payments  
2 to the Washington state support registry. All administrative orders  
3 shall also state that the responsible parent's privileges to obtain and  
4 maintain a license, as defined in section 802 of this act, may not be  
5 renewed, or may be suspended if the parent is not in compliance with a  
6 support order as defined in section 802 of this act. All  
7 administrative orders shall also state that (~~a notice of payroll~~  
8 ~~deduction may be issued, or other income withholding action taken~~)  
9 withholding action may be taken against wages, earnings, assets, or  
10 benefits, and liens enforced against real and personal property under  
11 the child support statutes of this or any other state without further  
12 notice to the responsible parent at any time after entry of the order,  
13 unless:

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

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

19 (4) If the support order does not include the provision ordering  
20 and directing that all payments be made to the Washington state support  
21 registry and a statement that (~~a notice of payroll deduction may be~~  
22 ~~issued~~) withholding action may be taken against wages, earnings,  
23 assets, or benefits if a support payment is past due or at any time  
24 after the entry of the order, or that a parent's licensing privileges  
25 may not be renewed, or may be suspended, the (~~office of support~~  
26 ~~enforcement~~) division of child support may serve a notice on the  
27 responsible parent stating such requirements and authorizations.  
28 Service may be by personal service or any form of mail requiring a  
29 return receipt.

30 (5) Every support order shall state:

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

32 (b) That (~~a notice of payroll deduction may be issued or other~~  
33 ~~income withholding action under chapter 26.18 or 74.20A RCW may be~~  
34 ~~taken~~) withholding action may be taken against wages, earnings,  
35 assets, or benefits, and liens enforced against real and personal  
36 property under the child support statutes of this or any other state,  
37 without further notice to the responsible parent at any time after  
38 entry of (~~an order by the court~~) a support 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; or

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

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

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

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

9 (f) The social security number, residence address, date of birth,  
10 telephone number, driver's license number, and name and address of the  
11 employer of the responsible parent;

12 (g) The social security number and residence address of the  
13 physical custodian except as provided in subsection (6) of this  
14 section;

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

17 (~~(i) ((In cases requiring payment to the Washington state support  
18 registry, that the parties are to notify the Washington state support  
19 registry of any change in residence address. The responsible parent  
20 shall notify the registry of the name and address of his or her current  
21 employer,))~~ A provision requiring the responsible parent to keep the  
22 Washington state support registry informed of whether he or she has  
23 access to health insurance coverage at reasonable cost and, if so, the  
24 health insurance policy information;

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

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

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

37 (m) That the responsible parent's privileges to obtain and maintain  
38 a license, as defined in section 802 of this act, may not be renewed,

1 or may be suspended if the parent is not in compliance with a support  
2 order as defined in section 802 of this act.

3 (6) The physical custodian's address:

4 (a) Shall be omitted from an order entered under the administrative  
5 procedure act. When the physical custodian's address is omitted from  
6 an order, the order shall state that the custodian's address is known  
7 to the ~~((office of support enforcement))~~ division of child support.

8 (b) A responsible parent may request the physical custodian's  
9 residence address by submission of a request for disclosure under RCW  
10 26.23.120 to the ~~((office of support enforcement))~~ division of child  
11 support.

12 ~~((The superior court clerk, the office of administrative~~  
13 ~~hearings, and the department of social and health services shall,~~  
14 ~~within five days of entry, forward to the Washington state support~~  
15 ~~registry, a true and correct copy of all superior court orders or~~  
16 ~~administrative orders establishing or modifying a support obligation~~  
17 ~~which provide that support payments shall be made to the support~~  
18 ~~registry. If a superior court order entered prior to January 1, 1988,~~  
19 ~~directs the responsible parent to make support payments to the clerk,~~  
20 ~~the clerk shall send a true and correct copy of the support order and~~  
21 ~~the payment record to the registry for enforcement action when the~~  
22 ~~clerk identifies that a payment is more than fifteen days past due.~~  
23 ~~The office of support enforcement shall reimburse the clerk for the~~  
24 ~~reasonable costs of copying and sending copies of court orders to the~~  
25 ~~registry at the reimbursement rate provided in Title IV-D of the social~~  
26 ~~security act.~~

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

32 ~~(9))~~ After the responsible parent has been ordered or notified to  
33 make payments to the Washington state support registry under this  
34 section, the responsible parent shall be fully responsible for making  
35 all payments to the Washington state support registry and shall be  
36 subject to payroll deduction or other income-withholding action. The  
37 responsible parent shall not be entitled to credit against a support  
38 obligation for any payments made to a person or agency other than to  
39 the Washington state support registry except as provided under RCW

1 74.20.101. A civil action may be brought by the payor to recover  
2 payments made to persons or agencies who have received and retained  
3 support moneys paid contrary to the provisions of this section.

4 **Sec. 897.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to  
5 read as follows:

6 The wage assignment order shall be substantially in the following  
7 form:

8 IN THE SUPERIOR COURT OF THE  
9 STATE OF WASHINGTON IN AND FOR THE  
10 COUNTY OF . . . . .

11 . . . . . ,  
12 Obligee No. . . . .  
13 vs.  
14 . . . . . , WAGE ASSIGNMENT  
15 Obligor ORDER  
16 . . . . . ,  
17 Employer

18 THE STATE OF WASHINGTON TO: . . . . .  
19 Employer  
20 AND TO: . . . . .  
21 Obligor

22 The above-named obligee claims that the above-named obligor is  
23 subject to a support order requiring immediate income withholding or is  
24 more than fifteen days past due in either child support or spousal  
25 maintenance payments, or both, in an amount equal to or greater than  
26 the child support or spousal maintenance payable for one month. The  
27 amount of the accrued child support or spousal maintenance debt as of  
28 this date is . . . . . dollars, the amount of arrearage payments  
29 specified in the support or spousal maintenance order (if applicable)  
30 is . . . . . dollars per . . . . . , and the amount of the current  
31 and continuing support or spousal maintenance obligation under the  
32 order is . . . . . dollars per . . . . .

33 You are hereby commanded to answer this order by filling in the  
34 attached form according to the instructions, and you must mail or  
35 deliver the original of the answer to the court, one copy to the  
36 Washington state support registry, one copy to the obligee or obligee's

1 attorney, and one copy to the obligor within twenty days after service  
2 of this wage assignment order upon you.

3 If you possess any earnings or other remuneration for employment  
4 due and owing to the obligor, then you shall do as follows:

5 (1) Withhold from the obligor's earnings or remuneration each  
6 month, or from each regular earnings disbursement, the lesser of:

7 (a) The sum of the accrued support or spousal maintenance debt and  
8 the current support or spousal maintenance obligation;

9 (b) The sum of the specified arrearage payment amount and the  
10 current support or spousal maintenance obligation; or

11 (c) Fifty percent of the disposable earnings or remuneration of the  
12 obligor.

13 (2) The total amount withheld above is subject to the wage  
14 assignment order, and all other sums may be disbursed to the obligor.

15 (3) Upon receipt of this wage assignment order you shall make  
16 immediate deductions from the obligor's earnings or remuneration and  
17 remit to the Washington state support registry or other address  
18 specified below the proper amounts at each regular pay interval.

19 You shall continue to withhold the ordered amounts from nonexempt  
20 earnings or remuneration of the obligor until notified by:

21 (a) The court that the wage assignment has been modified or  
22 terminated; or

23 (b) The addressee specified in the wage assignment order under this  
24 section that the accrued child support or spousal maintenance debt has  
25 been paid.

26 You shall promptly notify the court and the addressee specified in  
27 the wage assignment order under this section if and when the employee  
28 is no longer employed by you, or if the obligor no longer receives  
29 earnings or remuneration from you. If you no longer employ the  
30 employee, the wage assignment order shall remain in effect for one year  
31 after the employee has left your employment or you are no longer in  
32 possession of any earnings or remuneration owed to the employee,  
33 whichever is later. You shall continue to hold the wage assignment  
34 order during that period. If the employee returns to your employment  
35 during the one-year period you shall immediately begin to withhold the  
36 employee's earnings according to the terms of the wage assignment  
37 order. If the employee has not returned to your employment within one  
38 year, the wage assignment will cease to have effect at the expiration



1 (a) As authorized by a support order that contains ~~((the income~~  
2 ~~withholding notice provisions in RCW 26.23.050 or a substantially~~  
3 ~~similar notice))~~ a notice clearly stating that child support may be  
4 collected by withholding from earnings, wages, or benefits without  
5 further notice to the obligated parent; or

6 (b) After service of a notice containing an income-withholding  
7 provision under this chapter or chapter 74.20A RCW.

8 (2) The ~~((office of support enforcement))~~ division of child support  
9 shall serve a notice of payroll deduction upon a responsible parent's  
10 employer or upon the employment security department for the state in  
11 possession of or owing any benefits from the unemployment compensation  
12 fund to the responsible parent pursuant to Title 50 RCW ~~((by personal~~  
13 service or by any form of mail requiring a return receipt)):

14 (a) In the manner prescribed for the service of a summons in a  
15 civil action;

16 (b) By certified mail, return receipt requested; or

17 (c) By electronic means if there is an agreement between the  
18 secretary and the person, firm, corporation, association, political  
19 subdivision, department of the state, or agency, subdivision, or  
20 instrumentality of the United States to accept service by electronic  
21 means.

22 (3) Service of a notice of payroll deduction upon an employer or  
23 employment security department requires the employer or employment  
24 security department to immediately make a mandatory payroll deduction  
25 from the responsible parent's unpaid disposable earnings or  
26 unemployment compensation benefits. The employer or employment  
27 security department shall thereafter deduct each pay period the amount  
28 stated in the notice divided by the number of pay periods per month.  
29 The payroll deduction each pay period shall not exceed fifty percent of  
30 the responsible parent's disposable earnings.

31 (4) A notice of payroll deduction for support shall have priority  
32 over any wage assignment, garnishment, attachment, or other legal  
33 process.

34 (5) The notice of payroll deduction shall be in writing and  
35 include:

36 (a) The name and social security number of the responsible parent;

37 (b) The amount to be deducted from the responsible parent's  
38 disposable earnings each month, or alternate amounts and frequencies as  
39 may be necessary to facilitate processing of the payroll deduction;

1 (c) A statement that the total amount withheld shall not exceed  
2 fifty percent of the responsible parent's disposable earnings; ((and))

3 (d) The address to which the payments are to be mailed or  
4 delivered; and

5 (e) A notice to the responsible parent warning the responsible  
6 parent that, despite the payroll deduction, the responsible parent's  
7 privileges to obtain and maintain a license, as defined in section 802  
8 of this act, may not be renewed, or may be suspended if the parent is  
9 not in compliance with a support order as defined in section 802 of  
10 this act.

11 (6) An informational copy of the notice of payroll deduction shall  
12 be mailed to the last known address of the responsible parent by  
13 regular mail.

14 (7) An employer or employment security department that receives a  
15 notice of payroll deduction shall make immediate deductions from the  
16 responsible parent's unpaid disposable earnings and remit proper  
17 amounts to the Washington state support registry on each date the  
18 responsible parent is due to be paid.

19 (8) An employer, or the employment security department, upon whom  
20 a notice of payroll deduction is served, shall make an answer to the  
21 ~~((office of support enforcement))~~ division of child support within  
22 twenty days after the date of service. The answer shall confirm  
23 compliance and institution of the payroll deduction or explain the  
24 circumstances if no payroll deduction is in effect. The answer shall  
25 also state whether the responsible parent is employed by or receives  
26 earnings from the employer or receives unemployment compensation  
27 benefits from the employment security department, whether the employer  
28 or employment security department anticipates paying earnings or  
29 unemployment compensation benefits and the amount of earnings. If the  
30 responsible parent is no longer employed, or receiving earnings from  
31 the employer, the answer shall state the present employer's name and  
32 address, if known. If the responsible parent is no longer receiving  
33 unemployment compensation benefits from the employment security  
34 department, the answer shall state the present employer's name and  
35 address, if known.

36 (9) The employer or employment security department may deduct a  
37 processing fee from the remainder of the responsible parent's earnings  
38 after withholding under the notice of payroll deduction, even if the  
39 remainder is exempt under RCW 26.18.090. The processing fee may not

1 exceed: (a) Ten dollars for the first disbursement made to the  
2 Washington state support registry; and (b) one dollar for each  
3 subsequent disbursement to the registry.

4 (10) The notice of payroll deduction shall remain in effect until  
5 released by the (~~office of support enforcement~~) division of child  
6 support, the court enters an order terminating the notice and approving  
7 an alternate arrangement under RCW 26.23.050(~~(+2)~~), or one year has  
8 expired since the employer has employed the responsible parent or has  
9 been in possession of or owing any earnings to the responsible parent  
10 or the employment security department has been in possession of or  
11 owing any unemployment compensation benefits to the responsible parent.

12 (11) The division of child support may use uniform interstate  
13 withholding forms adopted by the United States department of health and  
14 human services to take withholding actions under this section when the  
15 responsible parent is receiving earnings or unemployment compensation  
16 in another state.

## 17 IX. CHILD SUPPORT ENFORCEMENT

18 **Sec. 901.** RCW 74.20.040 and 1989 c 360 s 12 are each amended to  
19 read as follows:

20 (1) Whenever the department (~~of social and health services~~)  
21 receives an application for public assistance on behalf of a child, the  
22 department shall take appropriate action under the provisions of this  
23 chapter, chapter 74.20A RCW, or other appropriate statutes of this  
24 state to establish or enforce support obligations against the parent or  
25 other persons owing a duty to pay support moneys.

26 (2) The secretary may accept a request for support enforcement  
27 services on behalf of persons who are not recipients of public  
28 assistance and may take appropriate action to establish or enforce  
29 support obligations against the parent or other persons owing a duty to  
30 pay moneys. Requests accepted under this subsection may be conditioned  
31 upon the payment of a fee as required through regulation issued by the  
32 secretary. (~~Action may be taken under the provisions of chapter 74.20~~  
33 ~~RCW, the abandonment or nonsupport statutes, or other appropriate~~  
34 ~~statutes of this state, including but not limited to remedies~~  
35 ~~established in chapter 74.20A RCW, to establish and enforce said~~  
36 ~~support obligations.)) The secretary may establish by regulation,~~

1 reasonable standards and qualifications for support enforcement  
2 services under this subsection.

3 (3) The secretary may accept requests for support enforcement  
4 services from child support enforcement agencies in other states  
5 operating child support programs under Title IV-D of the social  
6 security act or from foreign countries, and may take appropriate action  
7 to establish and enforce support obligations, or to enforce subpoenas,  
8 information requests, orders for genetic testing, and collection  
9 actions issued by the other agency against the parent or other person  
10 owing a duty to pay support moneys, the parent or other person's  
11 employer, or any other person or entity properly subject to child  
12 support collection or information-gathering processes. The request  
13 shall contain and be accompanied by such information and documentation  
14 as the secretary may by rule require, and be signed by an authorized  
15 representative of the agency. The secretary may adopt rules setting  
16 forth the duration and nature of services provided under this  
17 subsection.

18 (4) The department may take action to establish, enforce, and  
19 collect a support obligation, including performing related services,  
20 under this chapter and chapter 74.20A RCW, or through the attorney  
21 general or prosecuting attorney for action under chapter 26.09, 26.18,  
22 26.20, 26.21, or 26.26 RCW or other appropriate statutes or the common  
23 law of this state.

24 (5) Whenever a support order is filed with the Washington state  
25 support registry under chapter 26.23 RCW, the department may take  
26 appropriate action under the provisions of this chapter, chapter 26.23  
27 or 74.20A RCW, or other appropriate law of this state to establish or  
28 enforce the support obligations contained in that order against the  
29 responsible parent or other persons owing a duty to pay support moneys.

30 (6) The secretary may charge and collect a fee from the person  
31 obligated to pay support to compensate the department for services  
32 rendered in establishment of or enforcement of support obligations.  
33 This fee shall be limited to not more than ten percent of any support  
34 money collected as a result of action taken by the secretary. The fee  
35 charged shall be in addition to the support obligation. In no event  
36 may any moneys collected by the department (~~of social and health~~  
37 ~~services)) from the person obligated to pay support be retained as  
38 satisfaction of fees charged until all current support obligations have  
39 been satisfied. The secretary shall by regulation establish reasonable~~

1 fees for support enforcement services and said schedule of fees shall  
2 be made available to any person obligated to pay support. The  
3 secretary may, on showing of necessity, waive or defer any such fee.

4 (7) Fees, due and owing, may be collected as delinquent support  
5 moneys utilizing any of the remedies in chapter 74.20 RCW, chapter  
6 74.20A RCW, chapter 26.21 RCW, or any other remedy at law or equity  
7 available to the department or any agencies with whom it has a  
8 cooperative or contractual arrangement to establish, enforce, or  
9 collect support moneys or support obligations.

10 (8) The secretary may waive the fee, or any portion thereof, as a  
11 part of a compromise of disputed claims or may grant partial or total  
12 charge off of said fee if the secretary finds there are no available,  
13 practical, or lawful means by which said fee may be collected or to  
14 facilitate payment of the amount of delinquent support moneys owed.

15 (9) The secretary shall adopt rules conforming to federal laws,  
16 rules, and regulations required to be observed in maintaining the state  
17 child support enforcement program required under Title IV-D of the  
18 federal social security act. The adoption of these rules shall be  
19 calculated to promote the cost-effective use of the agency's resources  
20 and not otherwise cause the agency to divert its resources from its  
21 essential functions.

22 NEW SECTION. Sec. 902. A new section is added to chapter 74.20A  
23 RCW to read as follows:

24 CHILD SUPPORT PAYMENTS IN THE POSSESSION OF THIRD PARTIES--  
25 COLLECTION AS CHILD SUPPORT. (1) If a person or entity not entitled to  
26 child support payments wrongfully or negligently retains child support  
27 payments owed to another or to the Washington state support registry,  
28 those payments retain their character as child support payments and may  
29 be collected by the division of child support using any remedy  
30 available to the division of child support under Washington law for the  
31 collection of child support.

32 (2) Child support moneys subject to collection under this section  
33 may be collected for the duration of the statute of limitations as it  
34 applies to the support order governing the support obligations, and any  
35 legislative or judicial extensions thereto.

36 (3) This section applies to the following:

37 (a) Cases in which an employer or other entity obligated to  
38 withhold child support payments from the parent's pay, bank, or escrow

1 account, or from any other asset or distribution of money to the  
2 parent, has withheld those payments and failed to remit them to the  
3 payee;

4 (b) Cases in which child support moneys have been paid to the wrong  
5 person or entity in error;

6 (c) Cases in which child support recipients have retained child  
7 support payments in violation of a child support assignment executed or  
8 arising by operation of law in exchange for the receipt of public  
9 assistance; and

10 (d) Any other case in which child support payments are retained by  
11 a party not entitled to them.

12 (4) This section does not apply to fines levied under section  
13 903(3)(b) of this act.

14 NEW SECTION. **Sec. 903.** A new section is added to chapter 74.20A  
15 RCW to read as follows:

16 NONCOMPLIANCE WITH CHILD SUPPORT PROCESSES--NOTICE--HEARINGS--  
17 LIABILITY. (1) The division of child support may issue a notice of  
18 noncompliance to any person, firm, entity, or agency of state or  
19 federal government that the division believes is not complying with:

20 (a) A notice of payroll deduction issued under chapter 26.23 RCW;

21 (b) A lien, order to withhold and deliver, or assignment of  
22 earnings issued under this chapter;

23 (c) Any other wage assignment, garnishment, attachment, or  
24 withholding instrument properly served by the agency or firm providing  
25 child support enforcement services for another state, under Title IV-D  
26 of the federal social security act;

27 (d) A subpoena issued by the division of child support, or the  
28 agency or firm providing child support enforcement for another state,  
29 under Title IV-D of the federal social security act;

30 (e) An information request issued by the division of child support,  
31 or the agency or firm providing child support enforcement for another  
32 state under Title IV-D of the federal social security act, to an  
33 employer or entity required to respond to such requests under section  
34 907 of this act; or

35 (f) The duty to report newly hired employees imposed by RCW  
36 26.23.040.

37 (2) Liability for noncompliance with a wage withholding,  
38 garnishment, order to withhold and deliver, or any other lien or

1 attachment issued to secure payment of child support is governed by RCW  
2 26.23.090 and 74.20A.100, except that liability for noncompliance with  
3 remittance time frames is governed by subsection (3) of this section.

4 (3) The division of child support may impose fines of up to one  
5 hundred dollars per occurrence for:

6 (a) Noncompliance with a subpoena or an information request issued  
7 by the division of child support, or the agency or firm providing child  
8 support enforcement services for another state under Title IV-D of the  
9 federal social security act;

10 (b) Noncompliance with the required time frames for remitting  
11 withheld support moneys to the Washington state support registry, or  
12 the agency or firm providing child support enforcement services for  
13 another state, except that no liability shall be established for  
14 failure to make timely remittance unless the division of child support  
15 has provided the person, firm, entity, or agency of state or federal  
16 government with written warning:

17 (i) Explaining the duty to remit withheld payments promptly;

18 (ii) Explaining the potential for fines for delayed submission; and

19 (iii) Providing a contact person within the division of child  
20 support with whom the person, firm, entity, or agency of state or  
21 federal government may seek assistance with child support withholding  
22 issues.

23 (4) The division of child support may assess fines according to RCW  
24 26.23.040 for failure to comply with employer reporting requirements.

25 (5) The division of child support may suspend licenses for failure  
26 to comply with a subpoena issued under section 908 of this act.

27 (6) The division of child support may serve a notice of  
28 noncompliance by personal service or by any method of mailing requiring  
29 a return receipt.

30 (7) The liability asserted by the division of child support in the  
31 notice of noncompliance becomes final and collectible on the twenty-  
32 first day after the date of service, unless within that time the  
33 person, firm, entity, or agency of state or federal government:

34 (a) Initiates an action in superior court to contest the notice of  
35 noncompliance;

36 (b) Requests a hearing by delivering a hearing request to the  
37 division of child support in accordance with rules adopted by the  
38 secretary under this section; or

1 (c) Contacts the division of child support and negotiates an  
2 alternate resolution to the asserted noncompliance or demonstrates that  
3 the person, firm, entity, or agency of state or federal government has  
4 complied with the child support processes.

5 (8) The notice of noncompliance shall contain:

6 (a) A full and fair disclosure of the rights and obligations  
7 created by this section; and

8 (b) Identification of the:

9 (i) Child support process with respect to which the division of  
10 child support is alleging noncompliance; and

11 (ii) State child support enforcement agency issuing the original  
12 child support process.

13 (9) In an administrative hearing convened under subsection (7)(b)  
14 of this section, the presiding officer shall determine whether or not,  
15 and to what extent, liability for noncompliance exists under this  
16 section, and shall enter an order containing these findings. If  
17 liability does exist, the presiding officer shall include language in  
18 the order advising the parties to the proceeding that the liability may  
19 be collected by any means available to the division of child support  
20 under subsection (12) of this section without further notice to the  
21 liable party.

22 (10) Hearings under this section are governed by the administrative  
23 procedure act, chapter 34.05 RCW.

24 (11) After the twenty days following service of the notice, the  
25 person, firm, entity, or agency of state or federal government may  
26 petition for a late hearing. A petition for a late hearing does not  
27 stay any collection action to recover the debt. A late hearing is  
28 available upon a showing of any of the grounds stated in civil rule 60  
29 for the vacation of orders.

30 (12) The division of child support may collect any obligation  
31 established under this section using any of the remedies available  
32 under chapter 26.09, 26.18, 26.21, 26.23, 74.20, or 74.20A RCW for the  
33 collection of child support.

34 (13) The division of child support may enter agreements for the  
35 repayment of obligations under this section. Agreements may:

36 (a) Suspend the obligation imposed by this section conditioned on  
37 future compliance with child support processes. Such suspension shall  
38 end automatically upon any failure to comply with a child support  
39 process. Amounts suspended become fully collectible without further

1 notice automatically upon failure to comply with a child support  
2 process;

3 (b) Resolve amounts due under this section and provide for  
4 repayment.

5 (14) The secretary may adopt rules to implement this section.

6 **Sec. 904.** RCW 26.23.090 and 1990 c 165 s 2 are each amended to  
7 read as follows:

8 (1) The employer shall be liable to the Washington state support  
9 registry, or to the agency or firm providing child support enforcement  
10 for another state, under Title IV-D of the federal social security act  
11 and issuing a notice, garnishment, or wage assignment attaching wages  
12 or earnings in satisfaction of a support obligation, for one hundred  
13 percent of the amount of the support debt, or the amount of support  
14 moneys which should have been withheld from the employee's earnings,  
15 whichever is the lesser amount, if the employer:

16 (a) Fails or refuses, after being served with a notice of payroll  
17 deduction, or substantially similar action issued by the agency or firm  
18 providing child support enforcement for another state, under Title IV-D  
19 of the federal social security act, to deduct and promptly remit from  
20 unpaid earnings the amounts of money required in the notice;

21 (b) Fails or refuses to submit an answer to the notice of payroll  
22 deduction, or substantially similar action issued by the agency or firm  
23 providing child support enforcement for another state, under Title IV-D  
24 of the federal social security act, after being served; or

25 (c) Is unwilling to comply with the other requirements of RCW  
26 26.23.060.

27 (2) Liability may be established in superior court or may be  
28 established pursuant to ~~((RCW 74.20A.270))~~ section 903 of this act.  
29 Awards in superior court and in actions pursuant to ~~((RCW 74.20A.270))~~  
30 section 903 of this act shall include costs, interest under RCW  
31 19.52.020 and 4.56.110, and reasonable attorneys' fees and staff costs  
32 as a part of the award. Debts established pursuant to this section may  
33 be collected ~~((pursuant to chapter 74.20A RCW utilizing any of the~~  
34 ~~remedies contained in that chapter))~~ by the division of child support  
35 using any of the remedies available under chapter 26.09, 26.18, 26.21,  
36 26.23, 74.20, or 74.20A RCW for the collection of child support.

1           **Sec. 905.** RCW 74.20A.100 and 1989 c 360 s 5 are each amended to  
2 read as follows:

3           (1) Any person, firm, corporation, association, political  
4 subdivision or department of the state shall be liable to the  
5 department, or to the agency or firm providing child support  
6 enforcement for another state, under Title IV-D of the federal social  
7 security act and issuing a notice, garnishment, or wage assignment  
8 attaching wages or earnings in satisfaction of a support obligation, in  
9 an amount equal to one hundred percent of the value of the debt which  
10 is the basis of the lien, order to withhold and deliver, distraint, or  
11 assignment of earnings, or the amount that should have been withheld,  
12 whichever amount is less, together with costs, interest, and reasonable  
13 attorney fees if that person or entity:

14           (a) Fails to answer an order to withhold and deliver, or  
15 substantially similar action issued by the agency or firm providing  
16 child support enforcement for another state, under Title IV-D of the  
17 federal social security act, within the time prescribed herein;

18           (b) Fails or refuses to deliver property pursuant to said order;

19           (c) After actual notice of filing of a support lien, pays over,  
20 releases, sells, transfers, or conveys real or personal property  
21 subject to a support lien to or for the benefit of the debtor or any  
22 other person;

23           (d) Fails or refuses to surrender property distrained under RCW  
24 74.20A.130 upon demand; or

25           (e) Fails or refuses to honor an assignment of earnings presented  
26 by the secretary.

27           (2) The secretary is authorized to issue a notice of ~~((debt~~  
28 ~~pursuant to RCW 74.20A.040 and to take appropriate action to collect~~  
29 ~~the debt under this chapter if:~~

30           ~~(a) A judgment has been entered as the result of an action in~~  
31 ~~superior court against a person, firm, corporation, association,~~  
32 ~~political subdivision, or department of the state based on a violation~~  
33 ~~of this section; or~~

34           ~~(b) Liability has been established under RCW 74.20A.270))~~  
35 noncompliance under section 903 of this act or to proceed in superior  
36 court to obtain a judgment for noncompliance under this section.

37           **Sec. 906.** RCW 74.20A.270 and 1989 c 360 s 35 and 1989 c 175 s 156  
38 are each reenacted and amended to read as follows:

1        (1) The secretary may issue a notice of ((noncompliance)) retained  
2 support or notice to recover a support payment to any person((, firm,  
3 corporation, association, or political subdivision of the state of  
4 Washington or any officer or agent thereof who has violated chapter  
5 26.18 RCW, RCW 74.20A.100, or 26.23.040,)):

6        (a) Who is in possession of support moneys, or who has had support  
7 moneys in his or her possession at some time in the past, which support  
8 moneys were or are claimed by the department as the property of the  
9 department by assignment, subrogation, or by operation of law or legal  
10 process under chapter 74.20A RCW((, if the support moneys have not been  
11 remitted to the department as required by law)):

12        (b) Who has received a support payment erroneously directed to the  
13 wrong payee, or issued by the department in error; or

14        (c) Who is in possession of a support payment obtained through the  
15 internal revenue service tax refund offset process, which payment was  
16 later reclaimed from the department by the internal revenue service as  
17 a result of an amended tax return filed by the obligor or the obligor's  
18 spouse.

19        (2) The notice shall ((describe the claim of the department,  
20 stating)) state the legal basis for the claim and shall provide  
21 sufficient detail to enable the person((, firm, corporation,  
22 association, or political subdivision or officer or agent thereof upon  
23 whom service is made)) to identify the support moneys in issue ((or the  
24 specific violation of RCW 74.20A.100 that has occurred. The notice may  
25 also make inquiry as to relevant facts necessary to the resolution of  
26 the issue)).

27        (3) The department shall serve the notice ((may be served)) by  
28 certified mail, return receipt requested, or in the manner of a summons  
29 in a civil action. ((Upon service of the notice all moneys not yet  
30 disbursed or spent or like moneys to be received in the future are  
31 deemed to be impounded and shall be held in trust pending answer to the  
32 notice and any adjudicative proceeding.))

33        (4) The amounts claimed in the notice ((shall be answered under  
34 oath and in writing within twenty days of the date of service, which  
35 answer shall include true answers to the matters inquired of in the  
36 notice. The answer shall also either acknowledge)) shall become  
37 assessed, determined, and subject to collection twenty days from the  
38 date of service of the notice unless within those twenty days the  
39 person in possession of the support moneys:

1        (a) Acknowledges the department's right to the moneys ((~~or~~  
2 ~~application for~~) and executes an agreed settlement providing for  
3 repayment of the moneys; or

4        (b) Requests an adjudicative proceeding to ((~~contest the allegation~~  
5 ~~that chapter 26.18 RCW, RCW 74.20A.100, or 26.23.040, has been~~  
6 ~~violated, or~~) determine the rights to ownership of the support moneys  
7 in issue. The hearing shall be held pursuant to this section, chapter  
8 34.05 RCW, the Administrative Procedure Act, and the rules of the  
9 department. The burden of proof to establish ownership of the support  
10 moneys claimed((~~, including but not limited to moneys not yet disbursed~~  
11 ~~or spent,~~) is on the department.

12        ((~~If no answer is made within the twenty days, the department's~~  
13 ~~claim shall be assessed and determined and subject to collection action~~  
14 ~~as a support debt pursuant to chapter 26.18 or 74.20A RCW, or RCW~~  
15 ~~26.23.040. Any such debtor~~))

16        (5) After the twenty-day period, a person served with a notice  
17 under this section may, at any time within one year from the date of  
18 service of the notice of support debt, petition the secretary or the  
19 secretary's designee for an adjudicative proceeding upon a showing of  
20 any of the grounds enumerated in RCW 4.72.010 or superior court civil  
21 rule 60. A copy of the petition shall also be served on the  
22 department. The filing of the petition shall not stay any collection  
23 action being taken, but the debtor may petition the secretary or the  
24 secretary's designee for an order staying collection action pending the  
25 final administrative order. Any such moneys held and/or taken by  
26 collection action ((~~prior to~~) after the date of any such stay ((~~and~~  
27 ~~any support moneys claimed by the department, including moneys to be~~  
28 ~~received in the future to which the department may have a claim,~~))  
29 shall be held ((~~in trust~~)) by the department pending the final order,  
30 to be disbursed in accordance with the final order. ((~~The secretary or~~  
31 ~~the secretary's designee shall condition the stay to provide for the~~  
32 ~~trust.~~

33        If the petition is granted the issue in the proceeding is limited  
34 to the determination of the ownership of the moneys claimed in the  
35 notice of debt. The right to an adjudicative proceeding is conditioned  
36 upon holding of any funds not yet disbursed or expended or to be  
37 received in the future in trust pending the final order in these  
38 proceedings. The presiding or reviewing officer shall enter an  
39 appropriate order providing for the terms of the trust.))

1       (6) If the debtor fails to attend or participate in the hearing or  
2 other stage of an adjudicative proceeding, the presiding officer shall,  
3 upon showing of valid service, enter an order declaring the amount of  
4 support moneys, as claimed in the notice, to be assessed and determined  
5 and subject to collection action.

6       (7) The department may take action to collect an obligation  
7 established under this section using any remedy available under this  
8 chapter or chapter 26.09, 26.18, 26.23, or 74.20 RCW for the collection  
9 of child support.

10       (8) If, at any time, the superior court enters judgment for an  
11 amount of debt at variance with the amount determined by the final  
12 order in an adjudicative proceeding, the judgment shall supersede the  
13 final administrative order. ~~((Any debt determined by the superior~~  
14 ~~court in excess of the amount determined by the final administrative~~  
15 ~~order shall be the property of the department as assigned under 42~~  
16 ~~U.S.C. 602(A)(26)(a), RCW 74.20.040, 74.20A.250, 74.20.320, or~~  
17 ~~74.20.330.))~~ The department may~~((, despite any final administrative~~  
18 ~~order,))~~ take action pursuant to chapter 74.20 or 74.20A RCW to obtain  
19 such a judgment or to collect moneys determined by such a judgment to  
20 be due and owing.

21       If public assistance moneys have been paid to a parent for the  
22 benefit of that parent's minor dependent children, debt under this  
23 chapter shall not be incurred by nor at any time be collected from that  
24 parent because of that payment of assistance. ~~((Nothing in this~~  
25 ~~section prohibits or limits the department from acting pursuant to RCW~~  
26 ~~74.20.320 and this section to assess a debt against a recipient or ex-~~  
27 ~~recipient for receipt of support moneys paid in satisfaction of the~~  
28 ~~debt assigned under RCW 74.20.330 which have been assigned to the~~  
29 ~~department but were received by a recipient or ex-recipient from~~  
30 ~~another responsible parent and not remitted to the department. To~~  
31 ~~collect these wrongfully retained funds from the recipient, the~~  
32 ~~department may not take collection action in excess of ten percent of~~  
33 ~~the grant payment standard during any month the public assistance~~  
34 ~~recipient remains in that status unless required by federal law.))~~

35       (9) If a person owing a debt established under this section is  
36 receiving public assistance, the department may collect the debt by  
37 offsetting up to ten percent of the grant payment received by the  
38 person. No collection action may be taken against the earnings of a

1 person receiving cash public assistance to collect a debt assessed  
2 under this section.

3 (10) Payments not credited against the department's debt pursuant  
4 to RCW 74.20.101 may not be assessed or collected under this section.

5 NEW SECTION. **Sec. 907.** A new section is added to chapter 74.20A  
6 RCW to read as follows:

7 ACCESS TO INFORMATION--CONFIDENTIALITY--NONLIABILITY. (1)

8 Notwithstanding any other provision of Washington law, the division of  
9 child support, the Washington state support registry, or the agency or  
10 firm providing child support enforcement services for another state  
11 under Title IV-D of the federal social security act may access records  
12 of the following nature, in the possession of any agency or entity  
13 listed in this section:

14 (a) Records of state and local agencies, including but not limited  
15 to:

16 (i) The center for health statistics, including but not limited to  
17 records of birth, marriage, and death;

18 (ii) Tax and revenue records, including, but not limited to,  
19 information on residence addresses, employers, and assets;

20 (iii) Records concerning real and titled personal property;

21 (iv) Records of occupational, professional, and recreational  
22 licenses and records concerning the ownership and control of  
23 corporations, partnerships, and other business entities;

24 (v) Employment security records;

25 (vi) Records of agencies administering public assistance programs;  
26 and

27 (vii) Records of the department of corrections, and of county and  
28 municipal correction or confinement facilities;

29 (b) Records of public utilities and cable television companies  
30 relating to persons who owe or are owed support, or against whom a  
31 support obligation is sought, including names and addresses of the  
32 individuals, and employers' names and addresses pursuant to section 908  
33 of this act and RCW 74.20A.120; and

34 (c) Records held by financial institutions, pursuant to section 909  
35 of this act.

36 (2) Upon the request of the division of child support, the  
37 Washington state support registry, or the agency or firm providing  
38 child support enforcement services for another state under Title IV-D

1 of the social security act, any employer shall provide information as  
2 to the employment, earnings, benefits, and residential address and  
3 phone number of any employee.

4 (3) Entities in possession of records described in subsection  
5 (1)(a) and (c) of this section must provide information and records  
6 upon the request of the division of child support, the Washington state  
7 support registry, or the agency or firm providing child support  
8 enforcement services for another state under Title IV-D of the federal  
9 social security act. The division of child support may enter into  
10 agreements providing for electronic access to these records.

11 (4) Public utilities and cable television companies must provide  
12 the information in response to a judicial or administrative subpoena  
13 issued by the division of child support, the Washington state support  
14 registry, or the agency or firm providing child support enforcement  
15 services for another state under Title IV-D of the federal social  
16 security act.

17 (5) Entities responding to information requests and subpoenas under  
18 this section are not liable for disclosing information pursuant to the  
19 request or subpoena.

20 (6) The division of child support shall maintain all information  
21 gathered under this section confidential and shall only disclose this  
22 information as provided under RCW 26.23.120.

23 (7) The division of child support may impose fines for  
24 noncompliance with this section using the notice of noncompliance under  
25 section 903 of this act.

26 NEW SECTION. **Sec. 908.** A new section is added to chapter 74.20  
27 RCW to read as follows:

28 SUBPOENA AUTHORITY--ENFORCEMENT. In carrying out the provisions of  
29 this chapter or chapters 26.18, 26.23, 26.26, and 74.20A RCW, the  
30 secretary and other duly authorized officers of the department may  
31 subpoena witnesses, take testimony, and compel the production of such  
32 papers, books, records, and documents as they may deem relevant to the  
33 performance of their duties. The division of child support may enforce  
34 subpoenas issued under this power according to section 903 of this act.

35 NEW SECTION. **Sec. 909.** A new section is added to chapter 74.20A  
36 RCW to read as follows:

1 FINANCIAL INSTITUTION DATA MATCHES. (1) Each calendar quarter  
2 financial institutions doing business in the state of Washington shall  
3 report to the department the name, record address, social security  
4 number or other taxpayer identification number, and other information  
5 determined necessary by the department for each individual who  
6 maintains an account at such institution and is identified by the  
7 department as owing a support debt.

8 (2) The department and financial institutions shall enter into  
9 agreements to develop and operate a data match system, using automated  
10 data exchanges to the extent feasible, to minimize the cost of  
11 providing information required under subsection (1) of this section.

12 (3) The department may pay a reasonable fee to a financial  
13 institution for conducting the data match not to exceed the actual  
14 costs incurred.

15 (4) A financial institution is not liable for any disclosure of  
16 information to the department under this section.

17 (5) The division of child support shall maintain all information  
18 gathered under this section confidential and shall only disclose this  
19 information as provided under RCW 26.23.120.

20 **Sec. 910.** RCW 42.17.310 and 1996 c 305 s 2, 1996 c 253 s 302, 1996  
21 c 191 s 88, and 1996 c 80 s 1 are each reenacted and amended to read as  
22 follows:

23 (1) The following are exempt from public inspection and copying:

24 (a) Personal information in any files maintained for students in  
25 public schools, patients or clients of public institutions or public  
26 health agencies, or welfare recipients.

27 (b) Personal information in files maintained for employees,  
28 appointees, or elected officials of any public agency to the extent  
29 that disclosure would violate their right to privacy.

30 (c) Information required of any taxpayer in connection with the  
31 assessment or collection of any tax if the disclosure of the  
32 information to other persons would (i) be prohibited to such persons by  
33 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result  
34 in unfair competitive disadvantage to the taxpayer.

35 (d) Specific intelligence information and specific investigative  
36 records compiled by investigative, law enforcement, and penology  
37 agencies, and state agencies vested with the responsibility to  
38 discipline members of any profession, the nondisclosure of which is

1 essential to effective law enforcement or for the protection of any  
2 person's right to privacy.

3 (e) Information revealing the identity of persons who are witnesses  
4 to or victims of crime or who file complaints with investigative, law  
5 enforcement, or penology agencies, other than the public disclosure  
6 commission, if disclosure would endanger any person's life, physical  
7 safety, or property. If at the time a complaint is filed the  
8 complainant, victim or witness indicates a desire for disclosure or  
9 nondisclosure, such desire shall govern. However, all complaints filed  
10 with the public disclosure commission about any elected official or  
11 candidate for public office must be made in writing and signed by the  
12 complainant under oath.

13 (f) Test questions, scoring keys, and other examination data used  
14 to administer a license, employment, or academic examination.

15 (g) Except as provided by chapter 8.26 RCW, the contents of real  
16 estate appraisals, made for or by any agency relative to the  
17 acquisition or sale of property, until the project or prospective sale  
18 is abandoned or until such time as all of the property has been  
19 acquired or the property to which the sale appraisal relates is sold,  
20 but in no event shall disclosure be denied for more than three years  
21 after the appraisal.

22 (h) Valuable formulae, designs, drawings, and research data  
23 obtained by any agency within five years of the request for disclosure  
24 when disclosure would produce private gain and public loss.

25 (i) Preliminary drafts, notes, recommendations, and intra-agency  
26 memorandums in which opinions are expressed or policies formulated or  
27 recommended except that a specific record shall not be exempt when  
28 publicly cited by an agency in connection with any agency action.

29 (j) Records which are relevant to a controversy to which an agency  
30 is a party but which records would not be available to another party  
31 under the rules of pretrial discovery for causes pending in the  
32 superior courts.

33 (k) Records, maps, or other information identifying the location of  
34 archaeological sites in order to avoid the looting or depredation of  
35 such sites.

36 (l) Any library record, the primary purpose of which is to maintain  
37 control of library materials, or to gain access to information, which  
38 discloses or could be used to disclose the identity of a library user.

1 (m) Financial information supplied by or on behalf of a person,  
2 firm, or corporation for the purpose of qualifying to submit a bid or  
3 proposal for (i) a ferry system construction or repair contract as  
4 required by RCW 47.60.680 through 47.60.750 or (ii) highway  
5 construction or improvement as required by RCW 47.28.070.

6 (n) Railroad company contracts filed prior to July 28, 1991, with  
7 the utilities and transportation commission under RCW 81.34.070, except  
8 that the summaries of the contracts are open to public inspection and  
9 copying as otherwise provided by this chapter.

10 (o) Financial and commercial information and records supplied by  
11 private persons pertaining to export services provided pursuant to  
12 chapter 43.163 RCW and chapter 53.31 RCW, and by persons pertaining to  
13 export projects pursuant to RCW 43.23.035.

14 (p) Financial disclosures filed by private vocational schools under  
15 chapters 28B.85 and 28C.10 RCW.

16 (q) Records filed with the utilities and transportation commission  
17 or attorney general under RCW 80.04.095 that a court has determined are  
18 confidential under RCW 80.04.095.

19 (r) Financial and commercial information and records supplied by  
20 businesses or individuals during application for loans or program  
21 services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW,  
22 or during application for economic development loans or program  
23 services provided by any local agency.

24 (s) Membership lists or lists of members or owners of interests of  
25 units in timeshare projects, subdivisions, camping resorts,  
26 condominiums, land developments, or common-interest communities  
27 affiliated with such projects, regulated by the department of  
28 licensing, in the files or possession of the department.

29 (t) All applications for public employment, including the names of  
30 applicants, resumes, and other related materials submitted with respect  
31 to an applicant.

32 (u) The residential addresses and residential telephone numbers of  
33 employees or volunteers of a public agency which are held by the agency  
34 in personnel records, employment or volunteer rosters, or mailing lists  
35 of employees or volunteers.

36 (v) The residential addresses and residential telephone numbers of  
37 the customers of a public utility contained in the records or lists  
38 held by the public utility of which they are customers, except that  
39 this information may be released to the division of child support or

1 the agency or firm providing child support enforcement for another  
2 state under Title IV-D of the federal social security act, for the  
3 establishment, enforcement, or modification of a support order.

4 (w)(i) The federal social security number of individuals governed  
5 under chapter 18.130 RCW maintained in the files of the department of  
6 health, except this exemption does not apply to requests made directly  
7 to the department from federal, state, and local agencies of  
8 government, and national and state licensing, credentialing,  
9 investigatory, disciplinary, and examination organizations; (ii) the  
10 current residential address and current residential telephone number of  
11 a health care provider governed under chapter 18.130 RCW maintained in  
12 the files of the department, if the provider requests that this  
13 information be withheld from public inspection and copying, and  
14 provides to the department an accurate alternate or business address  
15 and business telephone number. On or after January 1, 1995, the  
16 current residential address and residential telephone number of a  
17 health care provider governed under RCW 18.130.140 maintained in the  
18 files of the department shall automatically be withheld from public  
19 inspection and copying unless the provider specifically requests the  
20 information be released, and except as provided for under RCW  
21 42.17.260(9).

22 (x) Information obtained by the board of pharmacy as provided in  
23 RCW 69.45.090.

24 (y) Information obtained by the board of pharmacy or the department  
25 of health and its representatives as provided in RCW 69.41.044,  
26 69.41.280, and 18.64.420.

27 (z) Financial information, business plans, examination reports, and  
28 any information produced or obtained in evaluating or examining a  
29 business and industrial development corporation organized or seeking  
30 certification under chapter 31.24 RCW.

31 (aa) Financial and commercial information supplied to the state  
32 investment board by any person when the information relates to the  
33 investment of public trust or retirement funds and when disclosure  
34 would result in loss to such funds or in private loss to the providers  
35 of this information.

36 (bb) Financial and valuable trade information under RCW 51.36.120.

37 (cc) Client records maintained by an agency that is a domestic  
38 violence program as defined in RCW 70.123.020 or 70.123.075 or a rape  
39 crisis center as defined in RCW 70.125.030.

1 (dd) Information that identifies a person who, while an agency  
2 employee: (i) Seeks advice, under an informal process established by  
3 the employing agency, in order to ascertain his or her rights in  
4 connection with a possible unfair practice under chapter 49.60 RCW  
5 against the person; and (ii) requests his or her identity or any  
6 identifying information not be disclosed.

7 (ee) Investigative records compiled by an employing agency  
8 conducting a current investigation of a possible unfair practice under  
9 chapter 49.60 RCW or of a possible violation of other federal, state,  
10 or local laws prohibiting discrimination in employment.

11 (ff) Business related information protected from public inspection  
12 and copying under RCW 15.86.110.

13 (gg) Financial, commercial, operations, and technical and research  
14 information and data submitted to or obtained by the clean Washington  
15 center in applications for, or delivery of, program services under  
16 chapter 70.95H RCW.

17 (hh) Information and documents created specifically for, and  
18 collected and maintained by a quality improvement committee pursuant to  
19 RCW 43.70.510, regardless of which agency is in possession of the  
20 information and documents.

21 (ii) Personal information in files maintained in a data base  
22 created under RCW 43.07.360.

23 (2) Except for information described in subsection (1)(c)(i) of  
24 this section and confidential income data exempted from public  
25 inspection pursuant to RCW 84.40.020, the exemptions of this section  
26 are inapplicable to the extent that information, the disclosure of  
27 which would violate personal privacy or vital governmental interests,  
28 can be deleted from the specific records sought. No exemption may be  
29 construed to permit the nondisclosure of statistical information not  
30 descriptive of any readily identifiable person or persons.

31 (3) Inspection or copying of any specific records exempt under the  
32 provisions of this section may be permitted if the superior court in  
33 the county in which the record is maintained finds, after a hearing  
34 with notice thereof to every person in interest and the agency, that  
35 the exemption of such records is clearly unnecessary to protect any  
36 individual's right of privacy or any vital governmental function.

37 (4) Agency responses refusing, in whole or in part, inspection of  
38 any public record shall include a statement of the specific exemption

1 authorizing the withholding of the record (or part) and a brief  
2 explanation of how the exemption applies to the record withheld.

3 NEW SECTION. **Sec. 911.** A new section is added to chapter 74.20  
4 RCW to read as follows:

5 ORDERS FOR GENETIC TESTING. (1) The division of child support may  
6 issue an order for genetic testing when providing services under this  
7 chapter and Title IV-D of the federal social security act if genetic  
8 testing:

9 (a) Is appropriate in an action under chapter 26.26 RCW, the  
10 uniform parentage act;

11 (b) Is appropriate in an action to establish support under RCW  
12 74.20A.056; or

13 (c) Would assist the parties or the division of child support in  
14 determining whether it is appropriate to proceed with an action to  
15 establish or disestablish paternity.

16 (2) The order for genetic testing shall be served on the alleged  
17 parent or parents and the legal parent by personal service or by any  
18 form of mail requiring a return receipt.

19 (3) Within twenty days of the date of service of an order for  
20 genetic testing, any party required to appear for genetic testing, the  
21 child, or a guardian on the child's behalf, may petition in superior  
22 court under chapter 26.26 RCW to bar or postpone genetic testing.

23 (4) The order for genetic testing shall contain:

24 (a) An explanation of the right to proceed in superior court under  
25 subsection (3) of this section;

26 (b) Notice that if no one proceeds under subsection (3) of this  
27 section, the agency issuing the order will schedule genetic testing and  
28 will notify the parties of the time and place of testing by regular  
29 mail;

30 (c) Notice that the parties must keep the agency issuing the order  
31 for genetic testing informed of their residence address and that  
32 mailing a notice of time and place for genetic testing to the last  
33 known address of the parties by regular mail constitutes valid service  
34 of the notice of time and place;

35 (d) Notice that the order for genetic testing may be enforced  
36 through:

1 (i) Public assistance grant reduction for noncooperation, pursuant  
2 to agency rule, if the child and custodian are receiving public  
3 assistance;

4 (ii) Termination of support enforcement services under Title IV-D  
5 of the federal social security act if the child and custodian are not  
6 receiving public assistance;

7 (iii) A referral to superior court for an appropriate action under  
8 chapter 26.26 RCW; or

9 (iv) A referral to superior court for remedial sanctions under RCW  
10 7.21.060.

11 (5) The department may advance the costs of genetic testing under  
12 this section.

13 (6) If an action is pending under chapter 26.26 RCW, a judgment for  
14 reimbursement of the cost of genetic testing may be awarded under RCW  
15 26.26.100.

16 (7) If no action is pending in superior court, the department may  
17 impose an obligation to reimburse costs of genetic testing according to  
18 rules adopted by the department to implement RCW 74.20A.056.

19 **Sec. 912.** RCW 26.23.045 and 1994 c 230 s 8 are each amended to  
20 read as follows:

21 (1) The ~~((office of support enforcement))~~ division of child  
22 support, Washington state support registry, shall provide support  
23 enforcement services under the following circumstances:

24 (a) Whenever public assistance under RCW 74.20.330 is paid;

25 (b) ~~((Whenever a request for nonassistance support enforcement~~  
26 ~~services under RCW 74.20.040(2) is received;~~

27 ~~(c))~~ Whenever a request for support enforcement services under RCW  
28 74.20.040~~((3))~~ is received;

29 ~~((d))~~ (c) When a support order which contains language directing  
30 a responsible parent to make support payments to the Washington state  
31 support registry under RCW 26.23.050 is submitted and the division of  
32 child support receives a written application for services or is already  
33 providing services;

34 ~~((e) When a support order is forwarded to the Washington state~~  
35 ~~support registry by the clerk of a superior court under RCW~~  
36 ~~26.23.050(5);~~

37 ~~(f))~~ (d) When the obligor submits a support order or support  
38 payment, and an application, to the Washington state support registry.

1           (2) The (~~office of support enforcement~~) division of child support  
2 shall continue to provide support enforcement services for so long as  
3 and under such conditions as the department shall establish by  
4 regulation or until the superior court enters an order removing the  
5 requirement that the obligor make support payments to the Washington  
6 state support registry as provided for in RCW 26.23.050(~~(+2)~~)).

7           NEW SECTION. Sec. 913. A new section is added to chapter 26.23  
8 RCW to read as follows:

9           STATE CASE REGISTRY--SUBMISSION OF ORDERS. (1) The division of  
10 child support, Washington state support registry shall operate a state  
11 case registry containing records of all orders establishing or  
12 modifying a support order that are entered after October 1, 1998.

13           (2) The superior court clerk, the office of administrative  
14 hearings, and the department of social and health services shall,  
15 within five days of entry, forward to the Washington state support  
16 registry, a true and correct copy of all superior court orders or  
17 administrative orders establishing or modifying a support obligation  
18 that provide that support payments shall be made to the support  
19 registry.

20           (3) The division of child support shall reimburse the clerk for the  
21 reasonable costs of copying and sending copies of court orders to the  
22 registry at the reimbursement rate provided in Title IV-D of the  
23 federal social security act.

24           (4) Effective October 1, 1998, the superior court clerk, the office  
25 of administrative hearings, and the department of social and health  
26 services shall, within five days of entry, forward to the Washington  
27 state support registry a true and correct copy of all superior court  
28 orders or administrative orders establishing or modifying a support  
29 obligation.

30           (5) Receipt of a support order by the registry or other action  
31 under this section on behalf of a person or persons who have not made  
32 a written application for support enforcement services to the division  
33 of child support and who are not recipients of public assistance is  
34 deemed to be:

35           (a) A request for payment services only if the order requires  
36 payment to the Washington state support registry;

1 (b) A submission for inclusion in the state case registry if the  
2 order does not require that support payments be made to the Washington  
3 state support registry.

4 NEW SECTION. Sec. 914. A new section is added to chapter 26.23  
5 RCW to read as follows:

6 ADDRESS AND EMPLOYER INFORMATION IN SUPPORT ORDERS--DUTY TO  
7 UPDATE--PROVISIONS REGARDING SERVICE. (1) Each party to a paternity or  
8 child support proceeding must provide the court and the Washington  
9 state child support registry with his or her:

- 10 (a) Social security number;
- 11 (b) Current residential address;
- 12 (c) Date of birth;
- 13 (d) Telephone number;
- 14 (e) Driver's license number; and
- 15 (f) Employer's name, address, and telephone number.

16 (2) Each party to an order entered in a child support or paternity  
17 proceeding shall update the information required under subsection (1)  
18 of this section promptly after any change in the information. The duty  
19 established under this section continues as long as any monthly support  
20 or support debt remains due under the support order.

21 (3) In any proceeding to establish, enforce, or modify the child  
22 support order between the parties, a party may demonstrate to the  
23 presiding officer that he or she has diligently attempted to locate the  
24 other party. Upon a showing of diligent efforts to locate, the  
25 presiding officer may allow, or accept as adequate, service of process  
26 for the action by delivery of written notice to the address most  
27 recently provided by the party under this section.

28 (4) All support orders shall contain notice to the parties of the  
29 obligations established by this section and possibility of service of  
30 process according to subsection (3) of this section.

31 **Sec. 915.** RCW 26.23.030 and 1989 c 360 s 6 are each amended to  
32 read as follows:

33 (1) There is created a Washington state support registry within the  
34 (~~office of support enforcement~~) division of child support as the  
35 agency designated in Washington state to administer the child support  
36 program under Title IV-D of the federal social security act. The  
37 registry shall:

1       (a) Provide a central unit for collection of support payments made  
2 to the registry;

3       (b) Account for and disburse all support payments received by the  
4 registry;

5       (~~(b)~~) (c) Maintain the necessary records including, but not  
6 limited to, information on support orders, support debts, the date and  
7 amount of support due; the date and amount of payments; and the names,  
8 social security numbers, and addresses of the parties;

9       (~~(e)~~) (d) Develop procedures for providing information to the  
10 parties regarding action taken by, and support payments collected and  
11 distributed by the registry; and

12       (e) Maintain a state child support case registry to compile and  
13 maintain records on all child support orders entered in the state of  
14 Washington.

15       (2) The (~~office of support enforcement~~) division of child support  
16 may assess and collect interest at the rate of twelve percent per year  
17 on unpaid child support that has accrued under any support order  
18 entered into the registry. This interest rate shall not apply to those  
19 support orders already specifying an interest assessment at a different  
20 rate.

21       (3) The secretary of social and health services shall adopt rules  
22 for the maintenance and retention of records of support payments and  
23 for the archiving and destruction of such records when the support  
24 obligation terminates or is satisfied. When a support obligation  
25 established under court order entered in a superior court of this state  
26 has been satisfied, a satisfaction of judgment form shall be prepared  
27 by the registry and filed with the clerk of the court in which the  
28 order was entered.

29       **Sec. 916.** RCW 74.20A.060 and 1989 c 360 s 9 and 1989 c 175 s 153  
30 are each reenacted and amended to read as follows:

31       (1) The secretary may assert a lien upon the real or personal  
32 property of a responsible parent:

33       (a) When a support payment is past due, if the parent's support  
34 order (~~was entered in accordance with RCW 26.23.050(1)~~) contains  
35 notice that liens may be enforced against real and personal property,  
36 or notice that action may be taken under this chapter;

37       (b) Twenty-one days after service of a notice of support debt under  
38 RCW 74.20A.040;

1 (c) Twenty-one days after service of a notice and finding of  
2 financial responsibility under RCW 74.20A.055;

3 (d) Twenty-one days after service of a notice and finding of  
4 parental responsibility;

5 (e) Twenty-one days after service of a notice of support owed under  
6 RCW 26.23.110; or

7 (f) When appropriate under RCW 74.20A.270.

8 (2) The division of child support may use uniform interstate lien  
9 forms adopted by the United States department of health and human  
10 services to assert liens on a responsible parent's real and personal  
11 property located in another state.

12 (3) The claim of the department for a support debt, not paid when  
13 due, shall be a lien against all property of the debtor with priority  
14 of a secured creditor. This lien shall be separate and apart from, and  
15 in addition to, any other lien created by, or provided for, in this  
16 title. The lien shall attach to all real and personal property of the  
17 debtor on the date of filing of such statement with the county auditor  
18 of the county in which such property is located.

19 ((+3+)) (4) Whenever a support lien has been filed and there is in  
20 the possession of any person, firm, corporation, association, political  
21 subdivision or department of the state having notice of said lien any  
22 property which may be subject to the support lien, such property shall  
23 not be paid over, released, sold, transferred, encumbered or conveyed,  
24 except as provided for by the exemptions contained in RCW 74.20A.090  
25 and 74.20A.130, unless:

26 (a) A written release or waiver signed by the secretary has been  
27 delivered to said person, firm, corporation, association, political  
28 subdivision or department of the state; or

29 (b) A determination has been made in an adjudicative proceeding  
30 pursuant to RCW 74.20A.055 or by a superior court ordering release of  
31 said support lien on the basis that no debt exists or that the debt has  
32 been satisfied.

33 **Sec. 917.** RCW 74.20A.080 and 1994 c 230 s 20 are each amended to  
34 read as follows:

35 (1) The secretary may issue to any person, firm, corporation,  
36 association, political subdivision, department of the state, or agency,  
37 subdivision, or instrumentality of the United States, an order to  
38 withhold and deliver property of any kind, including but not restricted

1 to earnings which are or might become due, owing, or belonging to the  
2 debtor, when the secretary has reason to believe that there is in the  
3 possession of such person, firm, corporation, association, political  
4 subdivision, department of the state, or agency, subdivision, or  
5 instrumentality of the United States property which is or might become  
6 due, owing, or belonging to said debtor. Such order to withhold and  
7 deliver may be issued:

8 (a) (~~When a support payment is past due~~) At any time, if a  
9 responsible parent's support order:

10 (i) Contains (~~language directing the parent to make support~~  
11 ~~payments to the Washington state support registry; and~~) notice that  
12 withholding action may be taken against earnings, wages, or assets  
13 without further notice to the parent; or

14 (ii) Includes a statement that other income-withholding action  
15 under this chapter may be taken without further notice to the  
16 responsible parent(~~, as provided for in RCW 26.23.050(1)~~);

17 (b) Twenty-one days after service of a notice of support debt under  
18 RCW 74.20A.040;

19 (c) Twenty-one days after service of a notice and finding of  
20 parental responsibility under RCW 74.20A.056;

21 (d) Twenty-one days after service of a notice of support owed under  
22 RCW 26.23.110;

23 (e) Twenty-one days after service of a notice and finding of  
24 financial responsibility under RCW 74.20A.055; or

25 (f) When appropriate under RCW 74.20A.270.

26 (2) The order to withhold and deliver shall:

27 (a) State the amount to be withheld on a periodic basis if the  
28 order to withhold and deliver is being served to secure payment of  
29 monthly current support;

30 (b) State the amount of the support debt accrued;

31 (~~(b)~~) (c) State in summary the terms of RCW 74.20A.090 and  
32 74.20A.100;

33 (~~(c)~~) (d) Be served in the manner prescribed for the service of  
34 a summons in a civil action or by certified mail, return receipt  
35 requested.

36 (3) The division of child support may use uniform interstate  
37 withholding forms adopted by the United States department of health and  
38 human services to take withholding actions under this section when the

1 responsible parent is owed money or property that is located in another  
2 state.

3 (4) Any person, firm, corporation, association, political  
4 subdivision, department of the state, or agency, subdivision, or  
5 instrumentality of the United States upon whom service has been made is  
6 hereby required to:

7 (a) Answer said order to withhold and deliver within twenty days,  
8 exclusive of the day of service, under oath and in writing, and shall  
9 make true answers to the matters inquired of therein; and

10 (b) Provide further and additional answers when requested by the  
11 secretary.

12 (~~(4)~~) (5) Any such person, firm, corporation, association,  
13 political subdivision, department of the state, or agency, subdivision,  
14 or instrumentality of the United States in possession of any property  
15 which may be subject to the claim of the department (~~of social and~~  
16 ~~health services~~) shall:

17 (a)(i) Immediately withhold such property upon receipt of the order  
18 to withhold and deliver; and

19 (ii) Immediately deliver the property to the secretary as soon as  
20 the twenty-day answer period expires;

21 (iii) Continue to withhold earnings payable to the debtor at each  
22 succeeding disbursement interval as provided for in RCW 74.20A.090, and  
23 deliver amounts withheld from earnings to the secretary on the date  
24 earnings are payable to the debtor;

25 (iv) Deliver amounts withheld from periodic payments to the  
26 secretary on the date the payments are payable to the debtor;

27 (v) Inform the secretary of the date the amounts were withheld as  
28 requested under this section; or

29 (b) Furnish to the secretary a good and sufficient bond,  
30 satisfactory to the secretary, conditioned upon final determination of  
31 liability.

32 (~~(5)~~) (6) An order to withhold and deliver served under this  
33 section shall not expire until:

34 (a) Released in writing by the (~~office of support enforcement~~)  
35 division of child support;

36 (b) Terminated by court order; or

37 (c) The person or entity receiving the order to withhold and  
38 deliver does not possess property of or owe money to the debtor for any

1 period of twelve consecutive months following the date of service of  
2 the order to withhold and deliver.

3 ~~((+6+))~~ (7) Where money is due and owing under any contract of  
4 employment, express or implied, or is held by any person, firm,  
5 corporation, or association, political subdivision, or department of  
6 the state, or agency, subdivision, or instrumentality of the United  
7 States subject to withdrawal by the debtor, such money shall be  
8 delivered by remittance payable to the order of the secretary.

9 ~~((+7+))~~ (8) Delivery to the secretary of the money or other  
10 property held or claimed shall satisfy the requirement and serve as  
11 full acquittance of the order to withhold and deliver.

12 ~~((+8+))~~ (9) A person, firm, corporation, or association, political  
13 subdivision, department of the state, or agency, subdivision, or  
14 instrumentality of the United States that complies with the order to  
15 withhold and deliver under this chapter is not civilly liable to the  
16 debtor for complying with the order to withhold and deliver under this  
17 chapter.

18 ~~((+9+))~~ (10) The secretary may hold the money or property delivered  
19 under this section in trust for application on the indebtedness  
20 involved or for return, without interest, in accordance with final  
21 determination of liability or nonliability.

22 ~~((+10+))~~ (11) Exemptions contained in RCW 74.20A.090 apply to  
23 orders to withhold and deliver issued under this section.

24 ~~((+11+))~~ (12) The secretary shall also, on or before the date of  
25 service of the order to withhold and deliver, mail or cause to be  
26 mailed a copy of the order to withhold and deliver to the debtor at the  
27 debtor's last known post office address, or, in the alternative, a copy  
28 of the order to withhold and deliver shall be served on the debtor in  
29 the same manner as a summons in a civil action on or before the date of  
30 service of the order or within two days thereafter. The copy of the  
31 order shall be mailed or served together with a concise explanation of  
32 the right to petition for judicial review. This requirement is not  
33 jurisdictional, but, if the copy is not mailed or served as in this  
34 section provided, or if any irregularity appears with respect to the  
35 mailing or service, the superior court, in its discretion on motion of  
36 the debtor promptly made and supported by affidavit showing that the  
37 debtor has suffered substantial injury due to the failure to mail the  
38 copy, may set aside the order to withhold and deliver and award to the

1 debtor an amount equal to the damages resulting from the secretary's  
2 failure to serve on or mail to the debtor the copy.

3 ~~((12))~~ (13) An order to withhold and deliver issued in accordance  
4 with this section has priority over any other wage assignment,  
5 garnishment, attachment, or other legal process(~~(, except for another~~  
6 ~~wage assignment, garnishment, attachment, or other legal process for~~  
7 ~~child support))~~).

8 ~~((13))~~ (14) The ~~((office of support enforcement))~~ division of  
9 child support shall notify any person, firm, corporation, association,  
10 or political subdivision, department of the state, or agency,  
11 subdivision, or instrumentality of the United States required to  
12 withhold and deliver the earnings of a debtor under this action that  
13 they may deduct a processing fee from the remainder of the debtor's  
14 earnings, even if the remainder would otherwise be exempt under RCW  
15 74.20A.090. The processing fee shall not exceed ten dollars for the  
16 first disbursement to the department and one dollar for each subsequent  
17 disbursement under the order to withhold and deliver.

18 **Sec. 918.** RCW 26.23.120 and 1994 c 230 s 12 are each amended to  
19 read as follows:

20 (1) Any information or records concerning individuals who owe a  
21 support obligation or for whom support enforcement services are being  
22 provided which are obtained or maintained by the Washington state  
23 support registry, the ~~((office of support enforcement))~~ division of  
24 child support, or under chapter 74.20 RCW shall be private and  
25 confidential and shall only be subject to public disclosure as provided  
26 in subsection (2) of this section.

27 (2) The secretary of the department of social and health services  
28 ~~((shall))~~ may adopt rules ~~((which))~~ :

29 (a) That specify what information is confidential;

30 (b) That specify the individuals or agencies to whom this  
31 information and these records may be disclosed((,)) ;

32 (c) Limiting the purposes for which the information may be  
33 disclosed((, and the)) ;

34 (d) Establishing procedures to obtain the information or records;  
35 or

36 (e) Establishing safeguards necessary to comply with federal law  
37 requiring safeguarding of information.

1       (3) The rules adopted under subsection (2) of this section shall  
2 provide for disclosure of the information and records, under  
3 appropriate circumstances, which shall include, but not be limited to:

4       (a) When authorized or required by federal statute or regulation  
5 governing the support enforcement program;

6       (b) To the person the subject of the records or information, unless  
7 the information is exempt from disclosure under RCW 42.17.310;

8       (c) To government agencies, whether state, local, or federal, and  
9 including federally recognized tribes, law enforcement agencies,  
10 prosecuting agencies, and the executive branch, if the disclosure is  
11 necessary for child support enforcement purposes or required under  
12 Title IV-D of the federal social security act;

13       (d) To the parties in a judicial or adjudicative proceeding upon a  
14 specific written finding by the presiding officer that the need for the  
15 information outweighs any reason for maintaining the privacy and  
16 confidentiality of the information or records;

17       (e) To private persons, federally recognized tribes, or  
18 organizations if the disclosure is necessary to permit private  
19 contracting parties to assist in the management and operation of the  
20 department;

21       (f) Disclosure of address and employment information to the parties  
22 to an action for purposes relating to a child support order, subject to  
23 the limitations in subsections (4) and (5) of this section;

24       (g) Disclosure of information or records when necessary to the  
25 efficient administration of the support enforcement program or to the  
26 performance of functions and responsibilities of the support registry  
27 and the ~~((office of support enforcement))~~ division of child support as  
28 set forth in state and federal statutes; or

29       (h) Disclosure of the information or records when authorized under  
30 RCW 74.04.060.

31       ~~((3))~~ (4) Prior to disclosing the ~~((physical custodian's address~~  
32 ~~under subsection (2)(f) of this section))~~ whereabouts of a parent or a  
33 party to a support order to the other parent or party, a notice shall  
34 be mailed, if appropriate under the circumstances, to the ~~((physical~~  
35 ~~custodian))~~ parent or other party whose whereabouts are to be  
36 disclosed, at ~~((the physical custodian's))~~ that person's last known  
37 address. The notice shall advise the ~~((physical custodian))~~ parent or  
38 party that a request for disclosure has been made and will be complied  
39 with unless the department;

1        (a) Receives a copy of a court order within thirty days which  
2 enjoins the disclosure of the information or restricts or limits the  
3 requesting party's right to contact or visit the ((physical custodian))  
4 parent or party whose address is to be disclosed or the child((, or the  
5 custodial parent requests a hearing to contest the disclosure));

6        (b) Receives a hearing request within thirty days under subsection  
7 (5) of this section; or

8        (c) Has reason to believe that the release of the information may  
9 result in physical or emotional harm to the party whose whereabouts are  
10 to be released, or to the child.

11        (5) A person receiving notice under subsection (4) of this section  
12 may request an adjudicative proceeding under chapter 34.05 RCW, at  
13 which the person may show that there is reason to believe that release  
14 of the information may result in physical or emotional harm to the  
15 person or the child. The administrative law judge shall determine  
16 whether the ((address)) whereabouts of the ((custodial parent)) person  
17 should be disclosed based on ((the same standard as a claim of "good  
18 cause" as defined in 42 U.S.C. Sec. 602(a)(26)(c)) subsection (4)(c)  
19 of this section, however no hearing is necessary if the department has  
20 in its possession a protective order or an order limiting visitation or  
21 contact.

22        ~~((+4))~~ (6) Nothing in this section shall be construed as limiting  
23 or restricting the effect of RCW 42.17.260~~((+6))~~ (9). Nothing in this  
24 section shall be construed to prevent the disclosure of information and  
25 records if all details identifying an individual are deleted or the  
26 individual consents to the disclosure.

27        ~~((+5))~~ (7) It shall be unlawful for any person or agency in  
28 violation of this section to solicit, publish, disclose, receive, make  
29 use of, or to authorize, knowingly permit, participate in or acquiesce  
30 in the use of any lists of names for commercial or political purposes  
31 or the use of any information for purposes other than those purposes  
32 specified in this section. A violation of this section shall be a  
33 gross misdemeanor as provided in chapter 9A.20 RCW.

34        **Sec. 919.** RCW 26.04.160 and 1993 c 451 s 1 are each amended to  
35 read as follows:

36        (1) Application for a marriage license must be made and filed with  
37 the appropriate county auditor upon blanks to be provided by the county  
38 auditor for that purpose, which application shall be under the oath of

1 each of the applicants, and each application shall state the name,  
2 address at the time of execution of application, age, social security  
3 number, birthplace, whether single, widowed or divorced, and whether  
4 under control of a guardian, residence during the past six months:  
5 PROVIDED, That each county may require such other and further  
6 information on said application as it shall deem necessary.

7 (2) The county legislative authority may impose an additional fee  
8 up to fifteen dollars on a marriage license for the purpose of funding  
9 family services such as family support centers.

10 **Sec. 920.** RCW 26.09.170 and 1992 c 229 s 2 are each amended to  
11 read as follows:

12 (1) Except as otherwise provided in subsection (7) of RCW  
13 26.09.070, the provisions of any decree respecting maintenance or  
14 support may be modified: (a) Only as to installments accruing  
15 subsequent to the petition for modification or motion for adjustment  
16 except motions to compel court-ordered adjustments, which shall be  
17 effective as of the first date specified in the decree for implementing  
18 the adjustment; and, (b) except as otherwise provided in subsections  
19 (4), (5), (8), and (9) of this section, only upon a showing of a  
20 substantial change of circumstances. The provisions as to property  
21 disposition may not be revoked or modified, unless the court finds the  
22 existence of conditions that justify the reopening of a judgment under  
23 the laws of this state.

24 (2) Unless otherwise agreed in writing or expressly provided in the  
25 decree the obligation to pay future maintenance is terminated upon the  
26 death of either party or the remarriage of the party receiving  
27 maintenance.

28 (3) Unless otherwise agreed in writing or expressly provided in the  
29 decree, provisions for the support of a child are terminated by  
30 emancipation of the child or by the death of the parent obligated to  
31 support the child.

32 (4) An order of child support may be modified one year or more  
33 after it has been entered without showing a substantial change of  
34 circumstances:

35 (a) If the order in practice works a severe economic hardship on  
36 either party or the child;

37 (b) If a party requests an adjustment in an order for child support  
38 which was based on guidelines which determined the amount of support

1 according to the child's age, and the child is no longer in the age  
2 category on which the current support amount was based;

3 (c) If a child is still in high school, upon a finding that there  
4 is a need to extend support beyond the eighteenth birthday to complete  
5 high school; or

6 (d) To add an automatic adjustment of support provision consistent  
7 with RCW 26.09.100.

8 (5) An order or decree entered prior to June 7, 1984, may be  
9 modified without showing a substantial change of circumstances if the  
10 requested modification is to:

11 (a) Require health insurance coverage for a child named therein; or

12 (b) Modify an existing order for health insurance coverage.

13 (6) An obligor's voluntary unemployment or voluntary  
14 underemployment, by itself, is not a substantial change of  
15 circumstances.

16 (7) The department of social and health services may file an action  
17 to modify an order of child support if public assistance money is being  
18 paid to or for the benefit of the child and the child support order is  
19 twenty-five percent or more below the appropriate child support amount  
20 set forth in the standard calculation as defined in RCW 26.19.011 and  
21 reasons for the deviation are not set forth in the findings of fact or  
22 order. The determination of twenty-five percent or more shall be based  
23 on the current income of the parties and the department shall not be  
24 required to show a substantial change of circumstances if the reasons  
25 for the deviations were not set forth in the findings of fact or order.

26 (8)(a) All child support decrees may be adjusted once every twenty-  
27 four months based upon changes in the income of the parents without a  
28 showing of substantially changed circumstances. Either party may  
29 initiate the adjustment by filing a motion and child support  
30 worksheets.

31 (b) A party may petition for modification in cases of substantially  
32 changed circumstances under subsection (1) of this section at any time.  
33 However, if relief is granted under subsection (1) of this section,  
34 twenty-four months must pass before a motion for an adjustment under  
35 (a) of this subsection may be filed.

36 (c) If, pursuant to (a) of this subsection or subsection (9) of  
37 this section, the court adjusts or modifies a child support obligation  
38 by more than thirty percent and the change would cause significant  
39 hardship, the court may implement the change in two equal increments,

1 one at the time of the entry of the order and the second six months  
2 from the entry of the order. Twenty-four months must pass following  
3 the second change before a motion for an adjustment under (a) of this  
4 subsection may be filed.

5 (d) A parent who is receiving transfer payments who receives a wage  
6 or salary increase may not bring a modification action pursuant to  
7 subsection (1) of this section alleging that increase constitutes a  
8 substantial change of circumstances.

9 (e) The department of social and health services may file an action  
10 at any time to modify an order of child support in cases of  
11 substantially changed circumstances if public assistance money is being  
12 paid to or for the benefit of the child. The determination of the  
13 existence of substantially changed circumstances by the department that  
14 lead to the filing of an action to modify the order of child support is  
15 not binding upon the court.

16 (9) An order of child support may be adjusted twenty-four months  
17 from the date of the entry of the decree or the last adjustment or  
18 modification, whichever is later, based upon changes in the economic  
19 table or standards in chapter 26.19 RCW.

20 **Sec. 921.** RCW 26.21.005 and 1993 c 318 s 101 are each amended to  
21 read as follows:

22 In this chapter:

23 (1) "Child" means an individual, whether over or under the age of  
24 majority, who is or is alleged to be owed a duty of support by the  
25 individual's parent or who is or is alleged to be the beneficiary of a  
26 support order directed to the parent.

27 (2) "Child support order" means a support order for a child,  
28 including a child who has attained the age of majority under the law of  
29 the issuing state.

30 (3) "Duty of support" means an obligation imposed or imposable by  
31 law to provide support for a child, spouse, or former spouse, including  
32 an unsatisfied obligation to provide support.

33 (4) "Home state" means the state in which a child lived with a  
34 parent or a person acting as parent for at least six consecutive months  
35 immediately preceding the time of filing of a petition or comparable  
36 pleading for support and, if a child is less than six months old, the  
37 state in which the child lived from birth with any of them. A period

1 of temporary absence of any of them is counted as part of the six-month  
2 or other period.

3 (5) "Income" includes earnings or other periodic entitlements to  
4 money from any source and any other property subject to withholding for  
5 support under the law of this state.

6 (6) "Income-withholding order" means an order or other legal  
7 process directed to an obligor's employer or other debtor, as defined  
8 by (~~chapter 6.27~~) RCW 50.04.080, to withhold support from the income  
9 of the obligor.

10 (7) "Initiating state" means a state (~~in~~) from which a proceeding  
11 is forwarded or in which a proceeding is filed for forwarding to a  
12 responding state under this chapter or a law or procedure substantially  
13 similar to this chapter, the Uniform Reciprocal Enforcement of Support  
14 Act, or the Revised Uniform Reciprocal Enforcement of Support Act (~~is~~  
15 ~~filed for forwarding to a responding state~~)).

16 (8) "Initiating tribunal" means the authorized tribunal in an  
17 initiating state.

18 (9) "Issuing state" means the state in which a tribunal issues a  
19 support order or renders a judgment determining parentage.

20 (10) "Issuing tribunal" means the tribunal that issues a support  
21 order or renders a judgment determining parentage.

22 (11) "Law" includes decisional and statutory law and rules and  
23 regulations having the force of law.

24 (12) "Obligee" means:

25 (a) An individual to whom a duty of support is or is alleged to be  
26 owed or in whose favor a support order has been issued or a judgment  
27 determining parentage has been rendered;

28 (b) A state or political subdivision to which the rights under a  
29 duty of support or support order have been assigned or which has  
30 independent claims based on financial assistance provided to an  
31 individual obligee; or

32 (c) An individual seeking a judgment determining parentage of the  
33 individual's child.

34 (13) "Obligor" means an individual, or the estate of a decedent:

35 (a) Who owes or is alleged to owe a duty of support;

36 (b) Who is alleged but has not been adjudicated to be a parent of  
37 a child; or

38 (c) Who is liable under a support order.

1 (14) "Register" means to record or file in the appropriate location  
2 for the recording or filing of foreign judgments generally or foreign  
3 support orders specifically, a support order or judgment determining  
4 parentage.

5 (15) "Registering tribunal" means a tribunal in which a support  
6 order is registered.

7 (16) "Responding state" means a state ~~((to))~~ in which a proceeding  
8 is filed or to which a proceeding is forwarded for filing from an  
9 initiating state under this chapter or a law or procedure substantially  
10 similar to this chapter, the Uniform Reciprocal Enforcement of Support  
11 Act, or the Revised Uniform Reciprocal Enforcement of Support Act.

12 (17) "Responding tribunal" means the authorized tribunal in a  
13 responding state.

14 (18) "Spousal support order" means a support order for a spouse or  
15 former spouse of the obligor.

16 (19) "State" means a state of the United States, the District of  
17 Columbia, ~~((the Commonwealth of))~~ Puerto Rico, the United States Virgin  
18 Islands, or any territory or insular possession subject to the  
19 jurisdiction of the United States. The term ~~(("state"))~~ includes:

20 (i) An Indian tribe ~~((and includes))~~; and

21 (ii) A foreign jurisdiction that has enacted a law or established  
22 procedures for issuance and enforcement of support orders ~~((that))~~  
23 which are substantially similar to the procedures under this chapter,  
24 the Uniform Reciprocal Enforcement of Support Act, or the Revised  
25 Uniform Reciprocal Enforcement of Support Act.

26 (20) "Support enforcement agency" means a public official or agency  
27 authorized to seek:

28 (a) Enforcement of support orders or laws relating to the duty of  
29 support;

30 (b) Establishment or modification of child support;

31 (c) Determination of parentage; or

32 (d) Location of obligors or their assets.

33 (21) "Support order" means a judgment, decree, or order, whether  
34 temporary, final, or subject to modification, for the benefit of a  
35 child, a spouse, or a former spouse, that provides for monetary  
36 support, health care, arrearages, or reimbursement, and may include  
37 related costs and fees, interest, income withholding, attorneys' fees,  
38 and other relief.

1 (22) "Tribunal" means a court, administrative agency, or quasi-  
2 judicial entity authorized to establish, enforce, or modify support  
3 orders or to determine parentage.

4 **Sec. 922.** RCW 26.21.115 and 1993 c 318 s 205 are each amended to  
5 read as follows:

6 (1) A tribunal of this state issuing a support order consistent  
7 with the law of this state has continuing, exclusive jurisdiction over  
8 a child support order:

9 (a) As long as this state remains the residence of the obligor, the  
10 individual obligee, or the child for whose benefit the support order is  
11 issued; or

12 (b) Until (~~each individual party has~~) all of the parties who are  
13 individuals have filed written consents with the tribunal of this state  
14 for a tribunal of another state to modify the order and assume  
15 continuing, exclusive jurisdiction.

16 (2) A tribunal of this state issuing a child support order  
17 consistent with the law of this state may not exercise its continuing  
18 jurisdiction to modify the order if the order has been modified by a  
19 tribunal of another state pursuant to this chapter or a law  
20 substantially similar to this chapter.

21 (3) If a child support order of this state is modified by a  
22 tribunal of another state pursuant to this chapter or a law  
23 substantially similar to this chapter, a tribunal of this state loses  
24 its continuing, exclusive jurisdiction with regard to prospective  
25 enforcement of the order issued in this state, and may only:

26 (a) Enforce the order that was modified as to amounts accruing  
27 before the modification;

28 (b) Enforce nonmodifiable aspects of that order; and

29 (c) Provide other appropriate relief for violations of that order  
30 which occurred before the effective date of the modification.

31 (4) A tribunal of this state shall recognize the continuing,  
32 exclusive jurisdiction of a tribunal of another state that has issued  
33 a child support order pursuant to this chapter or a law substantially  
34 similar to this chapter.

35 (5) A temporary support order issued ex parte or pending resolution  
36 of a jurisdictional conflict does not create continuing, exclusive  
37 jurisdiction in the issuing tribunal.

1 (6) A tribunal of this state issuing a support order consistent  
2 with the law of this state has continuing, exclusive jurisdiction over  
3 a spousal support order throughout the existence of the support  
4 obligation. A tribunal of this state may not modify a spousal support  
5 order issued by a tribunal of another state having continuing,  
6 exclusive jurisdiction over that order under the law of that state.

7 **Sec. 923.** RCW 26.21.135 and 1993 c 318 s 207 are each amended to  
8 read as follows:

9 (1) If a proceeding is brought under this chapter and only one  
10 tribunal has issued a child support order, the order of that tribunal  
11 controls and must be so recognized.

12 (2) If a proceeding is brought under this chapter, and ~~((one))~~ two  
13 or more child support orders have been issued ((in)) by tribunals of  
14 this state or another state with regard to ((an)) the same obligor and  
15 ((a)) child, a tribunal of this state shall apply the following rules  
16 in determining which order to recognize for purposes of continuing,  
17 exclusive jurisdiction:

18 (a) If only one of the tribunals ((has issued a child support  
19 order)) would have continuing, exclusive jurisdiction under this  
20 chapter, the order of that tribunal controls and must be so recognized.

21 (b) ~~((If two or more tribunals have issued child support orders for~~  
22 ~~the same obligor and child, and only one of the tribunals would have~~  
23 ~~continuing, exclusive jurisdiction under this chapter, the order of~~  
24 ~~that tribunal must be recognized.~~

25 (c)) If ~~((two or more tribunals have issued child support orders~~  
26 ~~for the same obligor and child, and)) more than one of the tribunals~~  
27 ~~would have continuing, exclusive jurisdiction under this chapter, an~~  
28 ~~order issued by a tribunal in the current home state of the child~~  
29 controls and must be so recognized, but if an order has not been issued  
30 in the current home state of the child, the order most recently issued  
31 controls and must be so recognized.

32 ~~((d) If two or more tribunals have issued child support orders for~~  
33 ~~the same obligor and child, and none of the tribunals would have~~  
34 ~~continuing, exclusive jurisdiction under this chapter, the tribunal of~~  
35 ~~this state may issue a child support order, which must be recognized.~~

36 (2) ~~The tribunal that has issued an order recognized under~~  
37 ~~subsection (1) of this section is the tribunal having continuing,~~  
38 ~~exclusive jurisdiction.))~~

1       (c) If none of the tribunals would have continuing, exclusive  
2 jurisdiction under this chapter, the tribunal of this state having  
3 jurisdiction over the parties shall issue a child support order, which  
4 controls and must be so recognized.

5       (3) If two or more child support orders have been issued for the  
6 same obligor and child and if the obligor or the individual obligee  
7 resides in this state, a party may request a tribunal of this state to  
8 determine which order controls and must be so recognized under  
9 subsection (2) of this section. The request must be accompanied by a  
10 certified copy of every support order in effect. The requesting party  
11 shall give notice of the request to each party whose rights may be  
12 affected by the determination.

13       (4) The tribunal that issued the controlling order under subsection  
14 (1), (2), or (3) of this section is the tribunal that has continuing,  
15 exclusive jurisdiction under RCW 26.21.115.

16       (5) A tribunal of this state which determines by order the identity  
17 of the controlling order under subsection (2)(a) or (b) of this section  
18 or which issues a new controlling order under subsection (2)(c) of this  
19 section shall state in that order the basis upon which the tribunal  
20 made its determination.

21       (6) Within thirty days after issuance of an order determining the  
22 identity of the controlling order, the party obtaining the order shall  
23 file a certified copy of it with each tribunal that issued or  
24 registered an earlier order of child support. A party who obtains the  
25 order and fails to file a certified copy is subject to appropriate  
26 sanctions by a tribunal in which the issue of failure to file arises.  
27 The failure to file does not affect the validity or enforceability of  
28 the controlling order.

29       **Sec. 924.** RCW 26.21.235 and 1993 c 318 s 304 are each amended to  
30 read as follows:

31       (1) Upon the filing of a petition authorized by this chapter, an  
32 initiating tribunal of this state shall forward three copies of the  
33 petition and its accompanying documents:

34       ~~((1))~~ (a) To the responding tribunal or appropriate support  
35 enforcement agency in the responding state; or

36       ~~((2))~~ (b) If the identity of the responding tribunal is unknown,  
37 to the state information agency of the responding state with a request

1 that they be forwarded to the appropriate tribunal and that receipt be  
2 acknowledged.

3 (2) If a responding state has not enacted the Uniform Interstate  
4 Family Support Act or a law or procedure substantially similar to the  
5 Uniform Interstate Family Support Act, a tribunal of this state may  
6 issue a certificate or other document and make findings required by the  
7 law of the responding state. If the responding state is a foreign  
8 jurisdiction, the tribunal may specify the amount of support sought and  
9 provide other documents necessary to satisfy the requirements of the  
10 responding state.

11 **Sec. 925.** RCW 26.21.245 and 1993 c 318 s 305 are each amended to  
12 read as follows:

13 (1) When a responding tribunal of this state receives a petition or  
14 comparable pleading from an initiating tribunal or directly pursuant to  
15 RCW 26.21.205(3), it shall cause the petition or pleading to be filed  
16 and notify the petitioner (~~by first class mail~~) where and when it was  
17 filed.

18 (2) A responding tribunal of this state, to the extent otherwise  
19 authorized by law, may do one or more of the following:

20 (a) Issue or enforce a support order, modify a child support order,  
21 or render a judgment to determine parentage;

22 (b) Order an obligor to comply with a support order, specifying the  
23 amount and the manner of compliance;

24 (c) Order income withholding;

25 (d) Determine the amount of any arrearages, and specify a method of  
26 payment;

27 (e) Enforce orders by civil or criminal contempt, or both;

28 (f) Set aside property for satisfaction of the support order;

29 (g) Place liens and order execution on the obligor's property;

30 (h) Order an obligor to keep the tribunal informed of the obligor's  
31 current residential address, telephone number, employer, address of  
32 employment, and telephone number at the place of employment;

33 (i) Issue a bench warrant or writ of arrest for an obligor who has  
34 failed after proper notice to appear at a hearing ordered by the  
35 tribunal and enter the bench warrant or writ of arrest in any local and  
36 state computer systems for criminal warrants;

37 (j) Order the obligor to seek appropriate employment by specified  
38 methods;

1 (k) Award reasonable attorneys' fees and other fees and costs; and

2 (l) Grant any other available remedy.

3 (3) A responding tribunal of this state shall include in a support  
4 order issued under this chapter, or in the documents accompanying the  
5 order, the calculations on which the support order is based.

6 (4) A responding tribunal of this state may not condition the  
7 payment of a support order issued under this chapter upon compliance by  
8 a party with provisions for visitation.

9 (5) If a responding tribunal of this state issues an order under  
10 this chapter, the tribunal shall send a copy of the order (~~by first~~  
11 ~~class mail~~) to the petitioner and the respondent and to the initiating  
12 tribunal, if any.

13 **Sec. 926.** RCW 26.21.255 and 1993 c 318 s 306 are each amended to  
14 read as follows:

15 If a petition or comparable pleading is received by an  
16 inappropriate tribunal of this state, it shall forward the pleading and  
17 accompanying documents to an appropriate tribunal in this state or  
18 another state and notify the petitioner (~~by first class mail~~) where  
19 and when the pleading was sent.

20 **Sec. 927.** RCW 26.21.265 and 1993 c 318 s 307 are each amended to  
21 read as follows:

22 (1) A support enforcement agency of this state, upon request, shall  
23 provide services to a petitioner in a proceeding under this chapter.

24 (2) A support enforcement agency that is providing services to the  
25 petitioner as appropriate shall:

26 (a) Take all steps necessary to enable an appropriate tribunal in  
27 this state or another state to obtain jurisdiction over the respondent;

28 (b) Request an appropriate tribunal to set a date, time, and place  
29 for a hearing;

30 (c) Make a reasonable effort to obtain all relevant information,  
31 including information as to income and property of the parties;

32 (d) Within (~~two~~) five days, exclusive of Saturdays, Sundays, and  
33 legal holidays, after receipt of a written notice from an initiating,  
34 responding, or registering tribunal, send a copy of the notice (~~by~~  
35 ~~first class mail~~) to the petitioner;

36 (e) Within (~~two~~) five days, exclusive of Saturdays, Sundays, and  
37 legal holidays, after receipt of a written communication from the

1 respondent or the respondent's attorney, send a copy of the  
2 communication (~~(by first class mail)~~) to the petitioner; and

3 (f) Notify the petitioner if jurisdiction over the respondent  
4 cannot be obtained.

5 (3) This chapter does not create or negate a relationship of  
6 attorney and client or other fiduciary relationship between a support  
7 enforcement agency or the attorney for the agency and the individual  
8 being assisted by the agency.

9 **Sec. 928.** RCW 26.21.450 and 1993 c 318 s 501 are each amended to  
10 read as follows:

11 (~~((1))~~) An income-withholding order issued in another state may be  
12 sent (~~(by first class mail)~~) to the person or entity defined as the  
13 obligor's employer under (~~(chapter 6.27)~~) RCW 50.04.080 without first  
14 filing a petition or comparable pleading or registering the order with  
15 a tribunal of this state. (~~(Upon receipt of the order, the employer~~  
16 ~~shall:~~

17 ~~(a) Treat an income withholding order issued in another state that~~  
18 ~~appears regular on its face as if it had been issued by a tribunal of~~  
19 ~~this state;~~

20 ~~(b) Immediately provide a copy of the order to the obligor; and~~

21 ~~(c) Distribute the funds as directed in the income withholding~~  
22 ~~order.~~

23 ~~(2) An obligor may contest the validity or enforcement of an~~  
24 ~~income withholding order issued in another state in the same manner as~~  
25 ~~if the order had been issued by a tribunal of this state. RCW~~  
26 ~~26.21.510 applies to the contest. The obligor shall give notice of the~~  
27 ~~contest to any support enforcement agency providing services to the~~  
28 ~~obligee and to:~~

29 ~~(a) The person or agency designated to receive payments in the~~  
30 ~~income withholding order; or~~

31 ~~(b) If no person or agency is designated, the obligee.))~~

32 NEW SECTION. **Sec. 929.** A new section is added to chapter 26.21  
33 RCW to read as follows:

34 EMPLOYER'S COMPLIANCE WITH INCOME-WITHHOLDING ORDER OF ANOTHER  
35 STATE. (1) Upon receipt of an income-withholding order, the obligor's  
36 employer shall immediately provide a copy of the order to the obligor.

1 (2) The employer shall treat an income-withholding order issued in  
2 another state that appears regular on its face as if it had been issued  
3 by a tribunal of this state.

4 (3) Except as provided in subsection (4) of this section and  
5 section 930 of this act, the employer shall withhold and distribute the  
6 funds as directed in the withholding order by complying with the terms  
7 of the order which specify:

8 (a) The duration and amount of periodic payments of current child  
9 support, stated as a sum certain;

10 (b) The person or agency designated to receive payments and the  
11 address to which the payments are to be forwarded;

12 (c) Medical support, whether in the form of periodic cash payment,  
13 stated as sum certain, or ordering the obligor to provide health  
14 insurance coverage for the child under a policy available through the  
15 obligor's employment;

16 (d) The amount of periodic payments of fees and costs for a support  
17 enforcement agency, the issuing tribunal, and the obligee's attorney,  
18 stated as sum certain; and

19 (e) The amount of periodic payments of arrearages and interest on  
20 arrearages, stated as sum certain.

21 (4) The employer shall comply with the law of the state of the  
22 obligor's principal place of employment for withholding from income  
23 with respect to:

24 (a) The employer's fee for processing an income withholding order;

25 (b) The maximum amount permitted to be withheld from the obligor's  
26 income; and

27 (c) The times within which the employer must implement the  
28 withholding order and forward the child support payment.

29 NEW SECTION. **Sec. 930.** A new section is added to chapter 26.21  
30 RCW to read as follows:

31 COMPLIANCE WITH MULTIPLE INCOME WITHHOLDING ORDERS. If an  
32 obligor's employer receives multiple income-withholding orders with  
33 respect to the earnings of the same obligor, the employer satisfies the  
34 terms of the multiple orders if the employer complies with the law of  
35 the state of the obligor's principal place of employment to establish  
36 the priorities for withholding and allocating income withheld for  
37 multiple child support obligees.

1        NEW SECTION.    **Sec. 931.**    A new section is added to chapter 26.21  
2    RCW to read as follows:

3        IMMUNITY FROM CIVIL LIABILITY.    An employer who complies with an  
4    income-withholding order issued in another state in accordance with  
5    this article is not subject to civil liability to an individual or  
6    agency with regard to the employer's withholding of child support from  
7    the obligor's income.

8        NEW SECTION.    **Sec. 932.**    A new section is added to chapter 26.21  
9    RCW to read as follows:

10       PENALTIES FOR NONCOMPLIANCE.    An employer who willfully fails to  
11    comply with an income-withholding order issued by another state and  
12    received for enforcement is subject to the same penalties that may be  
13    imposed for noncompliance with an order issued by a tribunal of this  
14    state.

15       NEW SECTION.    **Sec. 933.**    A new section is added to chapter 26.21  
16    RCW to read as follows:

17       CONTEST BY OBLIGOR.    (1) An obligor may contest the validity or  
18    enforcement of an income-withholding order issued in another state and  
19    received directly by an employer in this state in the same manner as if  
20    the order had been issued by a tribunal of this state.    RCW 26.21.510  
21    applies to the contest.

22       (2) The obligor shall give notice of the contest to:

23       (a) A support enforcement agency providing services to the obligee;

24       (b) Each employer that has directly received an income-withholding  
25    order; and

26       (c) The person or agency designated to receive payments in the  
27    income-withholding order, or if no person or agency is designated, to  
28    the obligee.

29       **Sec. 934.**    RCW 26.21.490 and 1993 c 318 s 602 are each amended to  
30    read as follows:

31       (1) A support order or income-withholding order of another state  
32    may be registered in this state by sending the following documents and  
33    information to the support enforcement agency of this state or to the  
34    superior court of any county in this state where the obligor resides,  
35    works, or has property:

- 1 (a) A letter of transmittal to the tribunal requesting registration  
2 and enforcement;
- 3 (b) Two copies, including one certified copy, of all orders to be  
4 registered, including any modification of an order;
- 5 (c) A sworn statement by the party seeking registration or a  
6 certified statement by the custodian of the records showing the amount  
7 of any arrearage;
- 8 (d) The name of the obligor and, if known:
- 9 (i) The obligor's address and social security number;
- 10 (ii) The name and address of the obligor's employer and any other  
11 source of income of the obligor; and
- 12 (iii) A description and the location of property of the obligor in  
13 this state not exempt from execution; and
- 14 (e) The name and address of the obligee and, if applicable, the  
15 agency or person to whom support payments are to be remitted.
- 16 (2) On receipt of a request for registration, the registering  
17 tribunal shall cause the order to be filed as a foreign judgment,  
18 together with one copy of the documents and information, regardless of  
19 their form.
- 20 (3) A petition or comparable pleading seeking a remedy that must be  
21 affirmatively sought under other law of this state may be filed at the  
22 same time as the request for registration or later. The pleading must  
23 specify the grounds for the remedy sought.

24 **Sec. 935.** RCW 26.21.520 and 1993 c 318 s 605 are each amended to  
25 read as follows:

26 (1) When a support order or income-withholding order issued in  
27 another state is registered, the registering tribunal shall notify the  
28 nonregistering party. ~~((Notice must be given by certified or  
29 registered mail or by any means of personal service authorized by the  
30 law of this state.))~~ The notice must be accompanied by a copy of the  
31 registered order and the documents and relevant information  
32 accompanying the order.

33 (2) The notice must inform the nonregistering party:

34 (a) That a registered order is enforceable as of the date of  
35 registration in the same manner as an order issued by a tribunal of  
36 this state;

37 (b) That a hearing to contest the validity or enforcement of the  
38 registered order must be requested within twenty days after the date of

1 receipt by certified or registered mail or personal service of the  
2 notice given to a nonregistering party within the state and within  
3 sixty days after the date of receipt by certified or registered mail or  
4 personal service of the notice on a nonregistering party outside of the  
5 state;

6 (c) That failure to contest the validity or enforcement of the  
7 registered order in a timely manner will result in confirmation of the  
8 order and enforcement of the order and the alleged arrearages and  
9 precludes further contest of that order with respect to any matter that  
10 could have been asserted; and

11 (d) Of the amount of any alleged arrearages.

12 (3) Upon registration of an income-withholding order for  
13 enforcement, the registering tribunal shall notify the obligor's  
14 employer pursuant to the income-withholding law of this state.

15 **Sec. 936.** RCW 26.21.530 and 1993 c 318 s 606 are each amended to  
16 read as follows:

17 (1) A nonregistering party seeking to contest the validity or  
18 enforcement of a registered order in this state shall request a hearing  
19 within twenty days after the date of receipt of certified or registered  
20 mail or the date of personal service of notice of the registration on  
21 the nonmoving party within this state, or, within sixty days after the  
22 receipt of certified or registered mail or personal service of the  
23 notice on the nonmoving party outside of the state. The nonregistering  
24 party may seek to vacate the registration, to assert any defense to an  
25 allegation of noncompliance with the registered order, or to contest  
26 the remedies being sought or the amount of any alleged arrearages  
27 pursuant to RCW 26.21.540.

28 (2) If the nonregistering party fails to contest the validity or  
29 enforcement of the registered order in a timely manner, the order is  
30 confirmed by operation of law.

31 (3) If a nonregistering party requests a hearing to contest the  
32 validity or enforcement of the registered order, the registering  
33 tribunal shall schedule the matter for hearing and give notice to the  
34 parties (~~by first class mail~~) of the date, time, and place of the  
35 hearing.

36 **Sec. 937.** RCW 26.21.580 and 1993 c 318 s 611 are each amended to  
37 read as follows:

1 (1) After a child support order issued in another state has been  
2 registered in this state, the responding tribunal of this state may  
3 modify that order only if ~~((7))~~ section 939 of this act does not apply  
4 and after notice and hearing ~~((7))~~ it finds that:

5 (a) The following requirements are met:

6 (i) The child, the individual obligee, and the obligor do not  
7 reside in the issuing state;

8 (ii) A petitioner who is a nonresident of this state seeks  
9 modification; and

10 (iii) The respondent is subject to the personal jurisdiction of the  
11 tribunal of this state; or

12 (b) ~~((An individual party or))~~ The child, or a party who is an  
13 individual, is subject to the personal jurisdiction of the tribunal of  
14 this state and all of the ~~((individual))~~ parties who are individuals  
15 have filed ((a)) written consents in the issuing tribunal ((providing  
16 that)) for a tribunal of this state ((may)) to modify the support order  
17 and assume continuing, exclusive jurisdiction over the order. However,  
18 if the issuing state is a foreign jurisdiction that has not enacted a  
19 law or established procedures substantially similar to the procedures  
20 under the Uniform Interstate Family Support Act, the consent otherwise  
21 required of an individual residing in this state is not required for  
22 the tribunal to assume jurisdiction to modify the child support order.

23 (2) Modification of a registered child support order is subject to  
24 the same requirements, procedures, and defenses that apply to the  
25 modification of an order issued by a tribunal of this state and the  
26 order may be enforced and satisfied in the same manner.

27 (3) A tribunal of this state may not modify any aspect of a child  
28 support order that may not be modified under the law of the issuing  
29 state. If two or more tribunals have issued child support orders for  
30 the same obligor and child, the order that controls and must be so  
31 recognized under RCW 26.21.135 establishes the aspects of the support  
32 order that are nonmodifiable.

33 (4) On issuance of an order modifying a child support order issued  
34 in another state, a tribunal of this state becomes the tribunal ~~((of))~~  
35 having continuing, exclusive jurisdiction.

36 ~~((5))~~ Within thirty days after issuance of a modified child support  
37 order, the party obtaining the modification shall file a certified copy  
38 of the order with the issuing tribunal which had continuing, exclusive

1 ~~jurisdiction over the earlier order, and in each tribunal in which the~~  
2 ~~party knows that earlier order has been registered.))~~

3 **Sec. 938.** RCW 26.21.590 and 1993 c 318 s 612 are each amended to  
4 read as follows:

5 A tribunal of this state shall recognize a modification of its  
6 earlier child support order by a tribunal of another state that assumed  
7 jurisdiction pursuant to the Uniform Interstate Family Support Act or  
8 a law substantially similar to this chapter and, upon request, except  
9 as otherwise provided in this chapter, shall:

10 (1) Enforce the order that was modified only as to amounts accruing  
11 before the modification;

12 (2) Enforce only nonmodifiable aspects of that order;

13 (3) Provide other appropriate relief only for violations of that  
14 order which occurred before the effective date of the modification;  
15 and

16 (4) Recognize the modifying order of the other state, upon  
17 registration, for the purpose of enforcement.

18 NEW SECTION. **Sec. 939.** A new section is added to chapter 26.21  
19 RCW to read as follows:

20 JURISDICTION TO MODIFY CHILD SUPPORT ORDER OF ANOTHER STATE IF  
21 INDIVIDUAL PARTIES RESIDE IN THIS STATE. (1) If all of the parties who  
22 are individuals reside in this state and the child does not reside in  
23 the issuing state, a tribunal of this state has jurisdiction to enforce  
24 and to modify the issuing state's child support order in a proceeding  
25 to register that order.

26 (2) A tribunal of this state exercising jurisdiction under this  
27 section shall apply the provisions of Articles 1 and 2, this article,  
28 and the procedural and substantive law of this state to the proceeding  
29 for enforcement or modification. Articles 3, 4, 5, 7, and 8 of this  
30 chapter do not apply.

31 NEW SECTION. **Sec. 940.** A new section is added to chapter 26.21  
32 RCW to read as follows:

33 NOTICE TO ISSUING TRIBUNAL OF MODIFICATION. Within thirty days  
34 after issuance of a modified child support order, the party obtaining  
35 the modification shall file a certified copy of the order with the  
36 issuing tribunal that had continuing, exclusive jurisdiction over the

1 earlier order, and in each tribunal in which the party knows the  
2 earlier order has been registered. A party who obtains the order and  
3 fails to file a certified copy is subject to appropriate sanctions by  
4 a tribunal in which the issue of failure to file arises. The failure  
5 to file does not affect the validity or enforceability of the modified  
6 order of the new tribunal having continuing, exclusive jurisdiction.

7 **Sec. 941.** RCW 26.21.620 and 1993 c 318 s 701 are each amended to  
8 read as follows:

9 (1) A tribunal of this state may serve as an initiating or  
10 responding tribunal in a proceeding brought under this chapter or a law  
11 or procedure substantially similar to this chapter, the Uniform  
12 Reciprocal Enforcement of Support Act, or the Revised Uniform  
13 Reciprocal Enforcement of Support Act to determine that the petitioner  
14 is a parent of a particular child or to determine that a respondent is  
15 a parent of that child.

16 (2) In a proceeding to determine parentage, a responding tribunal  
17 of this state shall apply the Uniform Parentage Act, chapter 26.26 RCW,  
18 procedural and substantive law of this state, and the rules of this  
19 state on choice of law.

20 NEW SECTION. **Sec. 942.** A new section is added to chapter 26.21  
21 RCW to read as follows:

22 ADOPTION OF RULES. The secretary of the department of social and  
23 health services shall issue such rules as necessary to act as the  
24 administrative tribunal pursuant to RCW 26.21.015.

25 **Sec. 943.** RCW 26.23.035 and 1991 c 367 s 38 are each amended to  
26 read as follows:

27 (1) The department of social and health services shall adopt rules  
28 for the distribution of support money collected by the (~~office of~~  
29 ~~support enforcement~~) division of child support. These rules shall:

30 (a) Comply with (~~42 U.S.C. Sec. 657~~) Title IV-D of the federal  
31 social security act as amended by the personal responsibility and work  
32 opportunity reconciliation act of 1996;

33 (b) Direct the (~~office of support enforcement~~) division of child  
34 support to distribute support money within eight days of receipt,  
35 unless one of the following circumstances, or similar circumstances  
36 specified in the rules, prevents prompt distribution:

1 (i) The location of the custodial parent is unknown;  
2 (ii) The support debt is in litigation;  
3 (iii) The (~~office of support enforcement~~) division of child  
4 support cannot identify the responsible parent or the custodian;

5 (c) Provide for proportionate distribution of support payments if  
6 the responsible parent owes a support obligation or a support debt for  
7 two or more Title IV-D cases; and

8 (d) Authorize the distribution of support money, except money  
9 collected under 42 U.S.C. Sec. 664, to satisfy a support debt owed to  
10 the IV-D custodian before the debt owed to the state when the custodian  
11 stops receiving a public assistance grant.

12 (2) The (~~office of support enforcement~~) division of child support  
13 may distribute support payments to the payee under the support order or  
14 to another person who has lawful physical custody of the child or  
15 custody with the payee's consent. The payee may file an application  
16 for an adjudicative proceeding to challenge distribution to such other  
17 person. Prior to distributing support payments to any person other  
18 than the payee, the registry shall:

19 (a) Obtain a written statement from the child's physical custodian,  
20 under penalty of perjury, that the custodian has lawful custody of the  
21 child or custody with the payee's consent;

22 (b) Mail to the responsible parent and to the payee at the payee's  
23 last known address a copy of the physical custodian's statement and a  
24 notice which states that support payments will be sent to the physical  
25 custodian; and

26 (c) File a copy of the notice with the clerk of the court that  
27 entered the original support order.

28 (3) If the Washington state support registry distributes a support  
29 payment to a person in error, the registry may obtain restitution by  
30 means of a set-off against future payments received on behalf of the  
31 person receiving the erroneous payment, or may act according to RCW  
32 74.20A.270 as deemed appropriate. Any set-off against future support  
33 payments shall be limited to amounts collected on the support debt and  
34 ten percent of amounts collected as current support.

35 (4) The division of child support shall ensure that the fifty  
36 dollar pass through payment, as required by 42 U.S.C. Sec. 657 before  
37 the adoption of P.L. 104-193, is terminated immediately upon the  
38 effective date of this section and all rules to the contrary adopted  
39 before the effective date of this section are without force and effect.

1           **Sec. 944.** RCW 74.20A.030 and 1993 sp.s. c 24 s 926 are each  
2 amended to read as follows:

3           (1) The department shall be subrogated to the right of any  
4 dependent child or children or person having the care, custody, and  
5 control of said child or children, if public assistance money is paid  
6 to or for the benefit of the child under a state program funded under  
7 Title IV-A of the federal social security act as amended by the  
8 personal responsibility and work opportunity reconciliation act of  
9 1996, to prosecute or maintain any support action or execute any  
10 administrative remedy existing under the laws of the state of  
11 Washington to obtain reimbursement of moneys expended, based on the  
12 support obligation of the responsible parent established by a superior  
13 court order or RCW 74.20A.055. Distribution of any support moneys  
14 shall be made in accordance with (~~42 U.S.C. Sec. 657~~) RCW 26.23.035.

15           (2) The department may initiate, continue, maintain, or execute an  
16 action to establish, enforce, and collect a support obligation,  
17 including establishing paternity and performing related services, under  
18 this chapter and chapter 74.20 RCW, or through the attorney general or  
19 prosecuting attorney under chapter 26.09, 26.18, 26.20, 26.21, 26.23,  
20 or 26.26 RCW or other appropriate statutes or the common law of this  
21 state, for so long as and under such conditions as the department may  
22 establish by regulation.

23           (3) Public assistance moneys shall be exempt from collection action  
24 under this chapter except as provided in RCW 74.20A.270.

25           (4) No collection action shall be taken against parents of children  
26 eligible for admission to, or children who have been discharged from a  
27 residential habilitation center as defined by RCW 71A.10.020(7). For  
28 the period July 1, 1993, through June 30, 1995, a collection action may  
29 be taken against parents of children with developmental disabilities  
30 who are placed in community-based residential care. The amount of  
31 support the department may collect from the parents shall not exceed  
32 one-half of the parents' support obligation accrued while the child was  
33 in community-based residential care. The child support obligation  
34 shall be calculated pursuant to chapter 26.19 RCW.

35           **Sec. 945.** RCW 74.20.320 and 1979 ex.s. c 171 s 17 are each amended  
36 to read as follows:

37           Whenever a custodian of children, or other person, receives support  
38 moneys paid to them which moneys are paid in whole or in part in

1 satisfaction of a support obligation which has been assigned to the  
2 department pursuant to (~~42 U.S.C. Sec. 602(A)(26)(a)~~) Title IV-A of  
3 the federal social security act as amended by the personal  
4 responsibility and work opportunity reconciliation act of 1996 or RCW  
5 74.20.330 or to which the department is owed a debt pursuant to RCW  
6 74.20A.030, the moneys shall be remitted to the department within eight  
7 days of receipt by the custodian or other person. If not so remitted  
8 the custodian or other person shall be indebted to the department as a  
9 support debt in an amount equal to the amount of the support money  
10 received and not remitted.

11 By not paying over the moneys to the department, a custodial parent  
12 or other person is deemed, without the necessity of signing any  
13 document, to have made an irrevocable assignment to the department of  
14 any support delinquency owed which is not already assigned to the  
15 department or to any support delinquency which may accrue in the future  
16 in an amount equal to the amount of support money retained. The  
17 department may utilize the collection procedures in chapter 74.20A RCW  
18 to collect the assigned delinquency to effect recoupment and  
19 satisfaction of the debt incurred by reason of the failure of the  
20 custodial parent or other person to remit. The department is also  
21 authorized to make a set-off to effect satisfaction of the debt by  
22 deduction from support moneys in its possession or in the possession of  
23 any clerk of the court or other forwarding agent which are paid to the  
24 custodial parent or other person for the satisfaction of any support  
25 delinquency. Nothing in this section authorizes the department to make  
26 set-off as to current support paid during the month for which the  
27 payment is due and owing.

28 **Sec. 946.** RCW 74.20.330 and 1989 c 360 s 13 are each amended to  
29 read as follows:

30 (1) Whenever public assistance is paid under (~~this title~~) a state  
31 program funded under Title IV-A of the federal social security act as  
32 amended by the personal responsibility and work opportunity  
33 reconciliation act of 1996, each applicant or recipient is deemed to  
34 have made assignment to the department of any rights to a support  
35 obligation from any other person the applicant or recipient may have in  
36 his or her own behalf or in behalf of any other family member for whom  
37 the applicant or recipient is applying for or receiving public

1 assistance, including any unpaid support obligation or support debt  
2 which has accrued at the time the assignment is made.

3 (2) Payment of public assistance under (~~this title~~) a state  
4 program funded under Title IV-A of the federal social security act as  
5 amended by the personal responsibility and work opportunity  
6 reconciliation act of 1996 shall:

7 (a) Operate as an assignment by operation of law; and

8 (b) Constitute an authorization to the department to provide the  
9 assistance recipient with support enforcement services.

10 **Sec. 947.** RCW 70.58.080 and 1989 c 55 s 2 are each amended to read  
11 as follows:

12 (1) Within ten days after the birth of any child, the attending  
13 physician, midwife, or his or her agent shall:

14 (a) Fill out a certificate of birth, giving all of the particulars  
15 required, including: (i) The mother's name and date of birth, and (ii)  
16 if the mother and father are married at the time of birth or the father  
17 has signed an acknowledgment of paternity, the father's name and date  
18 of birth; and

19 (b) File the certificate of birth together with the mother's and  
20 father's social security numbers with the (~~local~~) state registrar of  
21 (~~the district in which the birth occurred~~) vital statistics.

22 (2) The local registrar shall forward the birth certificate, any  
23 signed affidavit acknowledging paternity, and the mother's and father's  
24 social security numbers to the state office of vital statistics  
25 pursuant to RCW 70.58.030.

26 (3) The state (~~office~~) registrar of vital statistics shall make  
27 available to the (~~office of support enforcement~~) division of child  
28 support the birth certificates, the mother's and father's social  
29 security numbers and paternity affidavits.

30 (4) Upon the birth of a child to an unmarried woman, the attending  
31 physician, midwife, or his or her agent shall:

32 (a) Provide an opportunity for the child's mother and natural  
33 father to complete an affidavit acknowledging paternity. The completed  
34 affidavit shall be filed with the (~~local~~) state registrar of vital  
35 statistics. The affidavit shall contain or have attached:

36 (i) A sworn statement by the mother consenting to the assertion of  
37 paternity and stating that this is the only possible father;

1 (ii) A statement by the father that he is the natural father of the  
2 child;

3 (iii) A sworn statement signed by the mother and the putative  
4 father that each has been given notice, both orally and in writing, of  
5 the alternatives to, the legal consequences of, and the rights,  
6 including, if one parent is a minor, any rights afforded due to  
7 minority status, and responsibilities that arise from, signing the  
8 affidavit acknowledging paternity;

9 (iv) Written information, furnished by the department of social and  
10 health services, explaining the implications of signing, including  
11 parental rights and responsibilities; and

12 (~~(iv)~~) (v) The social security numbers of both parents.

13 (b) Provide written information and oral information, furnished by  
14 the department of social and health services, to the mother and the  
15 father regarding the benefits of having (~~her~~) the child's paternity  
16 established and of the availability of paternity establishment  
17 services, including a request for support enforcement services. The  
18 oral and written information shall also include information regarding  
19 the alternatives to, the legal consequences of, and the rights,  
20 including, if one parent is a minor any rights afforded due to minority  
21 status, and responsibilities that arise from, signing the affidavit  
22 acknowledging paternity.

23 (5) The physician or midwife or his or her agent is entitled to  
24 reimbursement for reasonable costs, which the department shall  
25 establish by rule, when an affidavit acknowledging paternity is filed  
26 with the state (~~office~~) registrar of vital statistics.

27 (6) If there is no attending physician or midwife, the father or  
28 mother of the child, householder or owner of the premises, manager or  
29 superintendent of the public or private institution in which the birth  
30 occurred, shall notify the local registrar, within ten days after the  
31 birth, of the fact of the birth, and the local registrar shall secure  
32 the necessary information and signature to make a proper certificate of  
33 birth.

34 (7) When an infant is found for whom no certificate of birth is  
35 known to be on file, a birth certificate shall be filed within the time  
36 and in the form prescribed by the state board of health.

37 (8) When no putative father is named on a birth certificate of a  
38 child born to an unwed mother the mother may give any surname she so

1 desires to her child but shall designate in space provided for father's  
2 name on the birth certificate "None Named".

3 **Sec. 948.** RCW 26.26.040 and 1994 c 230 s 14 are each amended to  
4 read as follows:

5 (1) A man is presumed to be the natural father of a child for all  
6 intents and purposes if:

7 (a) He and the child's natural mother are or have been married to  
8 each other and the child is born during the marriage, or within three  
9 hundred days after the marriage is terminated by death, annulment,  
10 declaration of invalidity, divorce, or dissolution, or after a decree  
11 of separation is entered by a court; or

12 (b) Before the child's birth, he and the child's natural mother  
13 have attempted to marry each other by a marriage solemnized in apparent  
14 compliance with law, although the attempted marriage is or could be  
15 declared invalid, and the child is born within three hundred days after  
16 the termination of cohabitation;

17 (c) After the child's birth, he and the child's natural mother have  
18 married, or attempted to marry, each other by a marriage solemnized in  
19 apparent compliance with law, although the attempted marriage is or  
20 could be declared invalid, and

21 (i) He has acknowledged his paternity of the child in writing filed  
22 with the state registrar of vital statistics,

23 (ii) With his consent, he is named as the child's father on the  
24 child's birth certificate, or

25 (iii) He is obligated to support the child under a written  
26 voluntary promise or by court order;

27 (d) While the child is under the age of majority, he receives the  
28 child into his home and openly holds out the child as his child;

29 (e) He acknowledges his paternity of the child pursuant to RCW  
30 70.58.080 or in a writing filed with the state ((office)) registrar of  
31 vital statistics, which shall promptly inform the mother of the filing  
32 of the acknowledgment, if she does not dispute the acknowledgment  
33 within a reasonable time after being informed thereof, in a writing  
34 filed with the state registrar of vital statistics. An acknowledgment  
35 of paternity under RCW 70.58.080 shall be a legal finding of paternity  
36 of the child sixty days after the acknowledgment is filed with the  
37 center for health statistics unless the acknowledgment is sooner  
38 rescinded or challenged. After the sixty-day period has passed, the

1 acknowledgment may be challenged in court only on the basis of fraud,  
2 duress, or material mistake of fact, with the burden of proof upon the  
3 challenger. Legal responsibilities of the challenger, including child  
4 support obligations, may not be suspended during the challenge, except  
5 for good cause shown. Judicial and administrative proceedings are  
6 neither required nor permitted to ratify an unchallenged acknowledgment  
7 of paternity filed after the effective date of this section. In order  
8 to enforce rights of residential time, custody, and visitation, a man  
9 presumed to be the father as a result of filing a written  
10 acknowledgment must seek appropriate judicial orders under this title;

11 (f) The United States immigration and naturalization service made  
12 or accepted a determination that he was the father of the child at the  
13 time of the child's entry into the United States and he had the  
14 opportunity at the time of the child's entry into the United States to  
15 admit or deny the paternal relationship; or

16 (g) Genetic testing indicates a ninety-eight percent or greater  
17 probability of paternity.

18 (2) A presumption under this section may be rebutted in an  
19 appropriate action only by clear, cogent, and convincing evidence. If  
20 two or more presumptions arise which conflict with each other, the  
21 presumption which on the facts is founded on the weightier  
22 considerations of policy and logic controls. The presumption is  
23 rebutted by a court decree establishing paternity of the child by  
24 another man.

25 NEW SECTION. Sec. 949. A new section is added to chapter 26.26  
26 RCW to read as follows:

27 PROOF OF CERTAIN SUPPORT AND PATERNITY ESTABLISHMENT COSTS. In all  
28 actions brought under this chapter, bills for pregnancy, childbirth,  
29 and genetic testing shall:

30 (1) Be admissible as evidence without requiring third-party  
31 foundation testimony; and

32 (2) Constitute prima facie evidence of amounts incurred for such  
33 services or for testing on behalf of the child.

34 **Sec. 950.** RCW 74.20A.055 and 1996 c 21 s 1 are each amended to  
35 read as follows:

36 (1) The secretary may, in the absence of a superior court order, or  
37 pursuant to an establishment of paternity under chapter 26.26 RCW,

1 serve on the responsible parent or parents a notice and finding of  
2 financial responsibility requiring a responsible parent or parents to  
3 appear and show cause in an adjudicative proceeding why the finding of  
4 responsibility and/or the amount thereof is incorrect, should not be  
5 finally ordered, but should be rescinded or modified. This notice and  
6 finding shall relate to the support debt accrued and/or accruing under  
7 this chapter and/or RCW 26.16.205, including periodic payments to be  
8 made in the future. The hearing shall be held pursuant to this  
9 section, chapter 34.05 RCW, the Administrative Procedure Act, and the  
10 rules of the department.

11 (2) The notice and finding of financial responsibility shall be  
12 served in the same manner prescribed for the service of a summons in a  
13 civil action or may be served on the responsible parent by certified  
14 mail, return receipt requested. The receipt shall be prima facie  
15 evidence of service. The notice shall be served upon the debtor within  
16 sixty days from the date the state assumes responsibility for the  
17 support of the dependent child or children on whose behalf support is  
18 sought. If the notice is not served within sixty days from such date,  
19 the department shall lose the right to reimbursement of payments made  
20 after the sixty-day period and before the date of notification:  
21 PROVIDED, That if the department exercises reasonable efforts to locate  
22 the debtor and is unable to do so the entire sixty-day period is tolled  
23 until such time as the debtor can be located.

24 (3) The notice and finding of financial responsibility shall set  
25 forth the amount the department has determined the responsible parent  
26 owes, the support debt accrued and/or accruing, and periodic payments  
27 to be made in the future. The notice and finding shall also include:

28 (a) A statement of the name of the recipient or custodian and the  
29 name of the child or children for whom support is sought;

30 (b) A statement of the amount of periodic future support payments  
31 as to which financial responsibility is alleged;

32 (c) A statement that the responsible parent may object to all or  
33 any part of the notice and finding, and file an application for an  
34 adjudicative proceeding to show cause why said responsible parent  
35 should not be determined to be liable for any or all of the debt, past  
36 and future;

37 (d) ~~((A statement that the alleged responsible parent may challenge  
38 the presumption of paternity;~~

1       ~~(e))~~) A statement that, if the responsible parent fails in timely  
2 fashion to file an application for an adjudicative proceeding, the  
3 support debt and payments stated in the notice and finding, including  
4 periodic support payments in the future, shall be assessed and  
5 determined and ordered by the department and that this debt and amounts  
6 due under the notice shall be subject to collection action;

7       ~~((f))~~) (e) A statement that the property of the debtor, without  
8 further advance notice or hearing, will be subject to lien and  
9 foreclosure, distraint, seizure and sale, order to withhold and  
10 deliver, notice of payroll deduction or other collection action to  
11 satisfy the debt and enforce the support obligation established under  
12 the notice.

13       (4) A responsible parent who objects to the notice and finding of  
14 financial responsibility may file an application for an adjudicative  
15 proceeding within twenty days of the date of service of the notice or  
16 thereafter as provided under this subsection. An adjudicative  
17 proceeding shall be held in the county of residence or other place  
18 convenient to the responsible parent.

19       (a) If the responsible parent files the application within twenty  
20 days, the department shall schedule an adjudicative proceeding to hear  
21 the parent's objection and determine the parents' support obligation  
22 for the entire period covered by the notice and finding of financial  
23 responsibility. The filing of the application stays collection action  
24 pending the entry of a final administrative order;

25       (b) If the responsible parent fails to file an application within  
26 twenty days, the notice and finding shall become a final administrative  
27 order. The amounts for current and future support and the support debt  
28 stated in the notice are final and subject to collection, except as  
29 provided under (c) and (d) of this subsection;

30       (c) If the responsible parent files the application more than  
31 twenty days after, but within one year of the date of service, the  
32 department shall schedule an adjudicative proceeding to hear the  
33 parents' objection and determine the parent's support obligation for  
34 the entire period covered by the notice and finding of financial  
35 responsibility. The filing of the application does not stay further  
36 collection action, pending the entry of a final administrative order,  
37 and does not affect any prior collection action;

38       (d) If the responsible parent files the application more than one  
39 year after the date of service, the department shall schedule an

1 adjudicative proceeding at which the responsible parent must show good  
2 cause for failure to file a timely application. The filing of the  
3 application does not stay future collection action and does not affect  
4 prior collection action:

5 (i) If the presiding officer finds that good cause exists, the  
6 presiding officer shall proceed to hear the parent's objection to the  
7 notice and determine the parent's support obligation;

8 (ii) If the presiding officer finds that good cause does not exist,  
9 the presiding officer shall treat the application as a petition for  
10 prospective modification of the amount for current and future support  
11 established under the notice and finding. In the modification  
12 proceeding, the presiding officer shall set current and future support  
13 under chapter 26.19 RCW. The responsible parent need show neither good  
14 cause nor a substantial change of circumstances to justify modification  
15 of current and future support;

16 (e) The department shall retain and/or shall not refund support  
17 money collected more than twenty days after the date of service of the  
18 notice. Money withheld as the result of collection action shall be  
19 delivered to the department. The department shall distribute such  
20 money, as provided in published rules.

21 (5)((+a)) If an application for an adjudicative proceeding is  
22 filed, the presiding or reviewing officer shall determine the past  
23 liability and responsibility, if any, of the alleged responsible parent  
24 and shall also determine the amount of periodic payments to be made in  
25 the future, which amount is not limited by the amount of any public  
26 assistance payment made to or for the benefit of the child. If  
27 deviating from the child support schedule in making these  
28 determinations, the presiding or reviewing officer shall apply the  
29 standards contained in the child support schedule and enter written  
30 findings of fact supporting the deviation.

31 (~~(b) If a responsible parent provides credible evidence at an  
32 adjudicative proceeding that would rebut the presumption of paternity  
33 set forth in RCW 26.26.040, the presiding officer shall direct the  
34 department to refer the issue for scheduling of an appropriate hearing  
35 in superior court to determine whether the presumption should be  
36 rebutted.~~)

37 (6) If the responsible parent fails to attend or participate in the  
38 hearing or other stage of an adjudicative proceeding, upon a showing of  
39 valid service, the presiding officer shall enter an administrative

1 order declaring the support debt and payment provisions stated in the  
2 notice and finding of financial responsibility to be assessed and  
3 determined and subject to collection action.

4 (7) The final administrative order establishing liability and/or  
5 future periodic support payments shall be superseded upon entry of a  
6 superior court order for support to the extent the superior court order  
7 is inconsistent with the administrative order.

8 (8) Debts determined pursuant to this section, accrued and not  
9 paid, are subject to collection action under this chapter without  
10 further necessity of action by a presiding or reviewing officer.

11 **Sec. 951.** RCW 74.20A.056 and 1994 c 230 s 19 and 1994 c 146 s 5  
12 are each reenacted and amended to read as follows:

13 (1) If an alleged father has signed an affidavit acknowledging  
14 paternity which has been filed with the state ((office)) registrar of  
15 vital statistics before July 1, 1997, the ((office of support  
16 enforcement)) division of child support may serve a notice and finding  
17 of parental responsibility on him. Procedures for and responsibility  
18 resulting from acknowledgments filed after July 1, 1997, are in  
19 subsections (8) and (9) of this section. Service of the notice shall be  
20 in the same manner as a summons in a civil action or by certified mail,  
21 return receipt requested. The notice shall have attached to it a copy  
22 of the affidavit or certification of birth record information advising  
23 of the existence of a filed affidavit, provided by the ((center for  
24 health)) state registrar of vital statistics, and shall state that:

25 (a) The alleged father may file an application for an adjudicative  
26 proceeding at which he will be required to appear and show cause why  
27 the amount stated in the finding of financial responsibility as to  
28 support is incorrect and should not be ordered;

29 (b) An alleged father may request that a blood or genetic test be  
30 administered to determine whether such test would exclude him from  
31 being a natural parent and, if not excluded, may subsequently request  
32 that the ((office of support enforcement)) division of child support  
33 initiate an action in superior court to determine the existence of the  
34 parent-child relationship; and

35 (c) If the alleged father does not request that a blood or genetic  
36 test be administered or file an application for an adjudicative  
37 proceeding, the amount of support stated in the notice and finding of  
38 parental responsibility shall become final, subject only to a

1 subsequent determination under RCW 26.26.060 that the parent-child  
2 relationship does not exist.

3 (2) An alleged father who objects to the amount of support  
4 requested in the notice may file an application for an adjudicative  
5 proceeding up to twenty days after the date the notice was served. An  
6 application for an adjudicative proceeding may be filed within one year  
7 of service of the notice and finding of parental responsibility without  
8 the necessity for a showing of good cause or upon a showing of good  
9 cause thereafter. An adjudicative proceeding under this section shall  
10 be pursuant to RCW 74.20A.055. The only issues shall be the amount of  
11 the accrued debt, the amount of the current and future support  
12 obligation, and the reimbursement of the costs of blood or genetic  
13 tests if advanced by the department.

14 (3) If the application for an adjudicative proceeding is filed  
15 within twenty days of service of the notice, collection action shall be  
16 stayed pending a final decision by the department. If no application  
17 is filed within twenty days:

18 (a) The amounts in the notice shall become final and the debt  
19 created therein shall be subject to collection action; and

20 (b) Any amounts so collected shall neither be refunded nor returned  
21 if the alleged father is later found not to be a responsible parent.

22 (4) An alleged father who denies being a responsible parent may  
23 request that a blood or genetic test be administered at any time. The  
24 request for testing shall be in writing and served on the (~~office of~~  
25 ~~support enforcement~~) division of child support personally or by  
26 registered or certified mail. If a request for testing is made, the  
27 department shall arrange for the test and, pursuant to rules adopted by  
28 the department, may advance the cost of such testing. The department  
29 shall mail a copy of the test results by certified mail, return receipt  
30 requested, to the alleged father's last known address.

31 (5) If the test excludes the alleged father from being a natural  
32 parent, the (~~office of support enforcement~~) division of child support  
33 shall file a copy of the results with the state (~~office~~) registrar of  
34 vital statistics and shall dismiss any pending administrative  
35 collection proceedings based upon the affidavit in issue. The state  
36 (~~office~~) registrar of vital statistics shall remove the alleged  
37 father's name from the birth certificate and change the child's surname  
38 to be the same as the mother's maiden name as stated on the birth  
39 certificate, or any other name which the mother may select.

1 (6) The alleged father may, within twenty days after the date of  
2 receipt of the test results, request the (~~office of support~~  
3 ~~enforcement~~) division of child support to initiate an action under RCW  
4 26.26.060 to determine the existence of the parent-child relationship.  
5 If the (~~office of support enforcement~~) division of child support  
6 initiates a superior court action at the request of the alleged father  
7 and the decision of the court is that the alleged father is a natural  
8 parent, the alleged father shall be liable for court costs incurred.

9 (7) If the alleged father does not request the (~~office of support~~  
10 ~~enforcement~~) division of child support to initiate a superior court  
11 action, or if the alleged father fails to appear and cooperate with  
12 blood or genetic testing, the notice of parental responsibility shall  
13 become final for all intents and purposes and may be overturned only by  
14 a subsequent superior court order entered under RCW 26.26.060.

15 (8)(a) If an alleged father has signed an affidavit acknowledging  
16 paternity that has been filed with the state registrar of vital  
17 statistics after July 1, 1997, within sixty days from the date of  
18 filing of the acknowledgment:

19 (i) The division of child support may serve a notice and finding of  
20 parental responsibility on him as set forth under this section; and

21 (ii) The alleged father or any other signatory may rescind his  
22 acknowledgment of paternity. The rescission shall be notarized and  
23 delivered to the state registrar of vital statistics personally or by  
24 registered or certified mail.

25 (b) If the alleged father does not file an application for an  
26 adjudicative proceeding or rescind his acknowledgment of paternity, the  
27 amount of support stated in the notice and finding of parental  
28 responsibility becomes final, subject only to a subsequent  
29 determination under RCW 26.26.060 that the parent-child relationship  
30 does not exist.

31 (c) An alleged father who objects to the amount of support  
32 requested in the notice may file an application for an adjudicative  
33 proceeding up to twenty days after the date the notice was served. An  
34 application for an adjudicative proceeding may be filed within one year  
35 of service of the notice and finding of parental responsibility without  
36 the necessity for a showing of good cause or upon a showing of good  
37 cause thereafter. An adjudicative proceeding under this section shall  
38 be pursuant to RCW 74.20A.055. The only issues shall be the amount of

1 the accrued debt and the amount of the current and future support  
2 obligation.

3 (i) If the application for an adjudicative proceeding is filed  
4 within twenty days of service of the notice, collection action shall be  
5 stayed pending a final decision by the department.

6 (ii) If the application for an adjudicative proceeding is not filed  
7 within twenty days of the service of the notice, any amounts collected  
8 under the notice shall be neither refunded nor returned if the alleged  
9 father is later found not to be a responsible parent.

10 (d) If an alleged father makes a request for genetic testing, the  
11 department shall proceed as set forth under section 911 of this act.

12 (e) If the alleged father does not request an adjudicative  
13 proceeding, or if the alleged father fails to rescind his filed  
14 acknowledgment of paternity, the notice of parental responsibility  
15 becomes final for all intents and purposes and may be overturned only  
16 by a subsequent superior court order entered under RCW 26.26.060.

17 (9) Affidavits acknowledging paternity that are filed after July 1,  
18 1997, are subject to requirements of chapters 26.26 and 70.58 RCW.

19 (10) The department and the department of health may adopt rules to  
20 implement the requirements under this section.

21 NEW SECTION. Sec. 952. A new section is added to chapter 26.18  
22 RCW to read as follows:

23 CHILD SUPPORT LIENS--CREATION--ATTACHMENT. Child support debts,  
24 not paid when due, become liens by operation of law against all  
25 property of the debtor with priority of a secured creditor. This lien  
26 shall be separate and apart from, and in addition to, any other lien  
27 created by, or provided for, in this title. The lien attaches to all  
28 real and personal property of the debtor on the date of filing with the  
29 county auditor of the county in which the property is located.

30 Sec. 953. RCW 26.23.040 and 1994 c 127 s 1 are each amended to  
31 read as follows:

32 (1) Except as provided in subsection (3) of this section, all  
33 employers doing business in the state of Washington, and to whom the  
34 department of employment security has assigned the standard industrial  
35 classification sic codes listed in subsection (2) of this section,  
36 shall report to the Washington state support registry:

1 (a) The hiring of any person who resides or works in this state to  
2 whom the employer anticipates paying earnings; and

3 (b) The rehiring or return to work of any employee who was laid  
4 off, furloughed, separated, granted a leave without pay, or terminated  
5 from employment.

6 (2) Employers in the standard industrial classifications that shall  
7 report to the Washington state support registry include:

8 (a) Construction industry sic codes: 15, general building; 16,  
9 heavy construction; and 17, special trades;

10 (b) Manufacturing industry sic code 37, transportation equipment;

11 (c) Business services sic codes: 73, except sic code 7363  
12 (temporary help supply services); and health services sic code 80.

13 (3) Employers are not required to report the hiring of any person  
14 who:

15 (a) Will be employed for less than one months duration;

16 (b) Will be employed sporadically so that the employee will be paid  
17 for less than three hundred fifty hours during a continuous six-month  
18 period; or

19 (c) Will have gross earnings less than three hundred dollars in  
20 every month.

21 The secretary of the department of social and health services may  
22 adopt rules to establish additional exemptions if needed to reduce  
23 unnecessary or burdensome reporting.

24 (4) Employers may report by mailing the employee's copy of the W-4  
25 form, or other means authorized by the registry which will result in  
26 timely reporting.

27 (5) Employers shall submit reports within thirty-five days of the  
28 hiring, rehiring, or return to work of the employee. The report shall  
29 contain:

30 (a) The employee's name, address, social security number, and date  
31 of birth; and

32 (b) The employer's name, address, and employment security reference  
33 number or unified business identifier number.

34 (6) An employer who fails to report as required under this section  
35 shall be given a written warning for the first violation and shall be  
36 subject to a civil penalty of up to two hundred dollars per month for  
37 each subsequent violation after the warning has been given. All  
38 violations within a single month shall be considered a single violation  
39 for purposes of assessing the penalty. The penalty may be imposed and

1 collected by the (~~office of support enforcement~~) division of child  
2 support under (~~RCW 74.20A.270~~) section 903 of this act.

3 (~~(7) (The registry shall retain the information for a particular~~  
4 ~~employee only if the registry is responsible for establishing,~~  
5 ~~enforcing, or collecting a support obligation or debt of the employee.~~  
6 ~~If the employee does not owe such an obligation or a debt, the registry~~  
7 ~~shall not create a record regarding the employee and the information~~  
8 ~~contained in the notice shall be promptly destroyed. Prior to the~~  
9 ~~destruction of the notice, the department of social and health services~~  
10 ~~shall make the information contained in the notice available to other~~  
11 ~~state agencies, based upon the written request of an agency's director~~  
12 ~~or chief executive, specifically for comparison with records or~~  
13 ~~information possessed by the requesting agency to detect improper or~~  
14 ~~fraudulent claims. If, after comparison, no such situation is found or~~  
15 ~~reasonably suspected to exist, the information shall be promptly~~  
16 ~~destroyed by the requesting agency. Requesting agencies that obtain~~  
17 ~~information from the department of social and health services under~~  
18 ~~this section shall maintain the confidentiality of the information~~  
19 ~~received, except as necessary to implement the agencies'~~  
20 ~~responsibilities.)) The registry shall retain the information for a  
21 particular employee only if the registry is responsible for  
22 establishing, enforcing, or collecting a support debt of the employee.  
23 The registry may, however, retain information for a particular employee  
24 for as long as may be necessary to:~~

25 (a) Transmit the information to the national directory of new hires  
26 as required under federal law; or

27 (b) Provide the information to other state agencies for comparison  
28 with records or information possessed by those agencies as required by  
29 law.

30 Information that is not permitted to be retained shall be promptly  
31 destroyed. Agencies that obtain information from the department of  
32 social and health services under this section shall maintain the  
33 confidentiality of the information received, except as necessary to  
34 implement the agencies' responsibilities.

35 **Sec. 954.** RCW 26.23.040 and 1997 c ... s 953 (section 953 of this  
36 act) are each amended to read as follows:

37 (1) (~~Except as provided in subsection (3) of this section,~~) All  
38 employers doing business in the state of Washington, and to whom the

1 department of employment security has assigned ((the)) a standard  
2 industrial classification sic code(~~(s listed in subsection (2) of this~~  
3 ~~section,)) shall report to the Washington state support registry:~~)

4 (a) The hiring of any person who resides or works in this state to  
5 whom the employer anticipates paying earnings; and

6 (b) The rehiring or return to work of any employee who was laid  
7 off, furloughed, separated, granted a leave without pay, or terminated  
8 from employment.

9 ~~((2) Employers in the standard industrial classifications that~~  
10 ~~shall report to the Washington state support registry include:~~

11 ~~(a) Construction industry sic codes: 15, general building; 16,~~  
12 ~~heavy construction; and 17, special trades;~~

13 ~~(b) Manufacturing industry sic code 37, transportation equipment;~~

14 ~~(c) Business services sic codes: 73, except sic code 7363~~  
15 ~~(temporary help supply services); and health services sic code 80.~~

16 ~~(3) Employers are not required to report the hiring of any person~~  
17 ~~who:~~

18 ~~(a) Will be employed for less than one months duration;~~

19 ~~(b) Will be employed sporadically so that the employee will be paid~~  
20 ~~for less than three hundred fifty hours during a continuous six month~~  
21 ~~period; or~~

22 ~~(c) Will have gross earnings less than three hundred dollars in~~  
23 ~~every month.)~~

24 The secretary of the department of social and health services may  
25 adopt rules to establish additional exemptions if needed to reduce  
26 unnecessary or burdensome reporting.

27 ~~((4))~~ (2) Employers may report by mailing the employee's copy of  
28 the W-4 form, or other means authorized by the registry which will  
29 result in timely reporting.

30 ~~((5))~~ (3) Employers shall submit reports within ~~((thirty-five))~~  
31 twenty days of the hiring, rehiring, or return to work of the employee,  
32 except as provided in subsection (4) of this section. The report shall  
33 contain:

34 (a) The employee's name, address, social security number, and date  
35 of birth; and

36 (b) The employer's name, address, ~~((and))~~ employment security  
37 reference number ~~((or)),~~ unified business identifier number and  
38 identifying number assigned under section 6109 of the internal revenue  
39 code of 1986.

1       (~~(6)~~) (4) In the case of an employer transmitting reports  
2 magnetically or electronically, the employer shall report newly hired  
3 employees by two monthly transmissions, if necessary, not less than  
4 twelve days nor more than sixteen days apart.

5       (5) An employer who fails to report as required under this section  
6 shall be given a written warning for the first violation and shall be  
7 subject to a civil penalty of up to two hundred dollars per month for  
8 each subsequent violation after the warning has been given. All  
9 violations within a single month shall be considered a single violation  
10 for purposes of assessing the penalty. The penalty may be imposed and  
11 collected by the division of child support under RCW 74.20A.---  
12 (section 903 of this act).

13       (~~(7)~~) (6) The registry shall retain the information for a  
14 particular employee only if the registry is responsible for  
15 establishing, enforcing, or collecting a support debt of the employee.  
16 The registry may, however, retain information for a particular employee  
17 for as long as may be necessary to:

18       (a) Transmit the information to the national directory of new hires  
19 as required under federal law; or

20       (b) Provide the information to other state agencies for comparison  
21 with records or information possessed by those agencies as required by  
22 law.

23       Information that is not permitted to be retained shall be promptly  
24 destroyed. Agencies that obtain information from the department of  
25 social and health services under this section shall maintain the  
26 confidentiality of the information received, except as necessary to  
27 implement the agencies' responsibilities.

28       **Sec. 955.** RCW 26.09.020 and 1989 1st ex.s. c 9 s 204 and 1989 c  
29 375 s 3 are each reenacted and amended to read as follows:

30       (1) A petition in a proceeding for dissolution of marriage, legal  
31 separation, or for a declaration concerning the validity of a marriage,  
32 shall allege the following:

33       (a) The last known residence of each party;

34       (b) The social security number of each party;

35       (c) The date and place of the marriage;

36       (~~(e)~~) (d) If the parties are separated the date on which the  
37 separation occurred;

1       (~~(d)~~) (e) The names, ages, and addresses of any child dependent  
2 upon either or both spouses and whether the wife is pregnant;

3       (~~(e)~~) (f) Any arrangements as to the residential schedule of,  
4 decision making for, dispute resolution for, and support of the  
5 children and the maintenance of a spouse;

6       (~~(f)~~) (g) A statement specifying whether there is community or  
7 separate property owned by the parties to be disposed of;

8       (~~(g)~~) (h) The relief sought.

9       (2) Either or both parties to the marriage may initiate the  
10 proceeding.

11       (3) The petitioner shall complete and file with the petition a  
12 certificate under RCW 70.58.200 on the form provided by the department  
13 of health.

14       **Sec. 956.** RCW 26.26.100 and 1994 c 230 s 15 and 1994 c 146 s 1 are  
15 each reenacted and amended to read as follows:

16       (1) The court may, and upon request of a party shall, require the  
17 child, mother, and any alleged or presumed father who has been made a  
18 party to submit to blood tests or genetic tests of blood, tissues, or  
19 other bodily fluids. If (~~(an alleged father)~~) a party objects to a  
20 proposed order requiring (~~(him to submit to paternity)~~) blood or  
21 genetic tests, the court (~~(may)~~) shall require the party making the  
22 allegation of possible paternity to provide sworn testimony, by  
23 affidavit or otherwise, stating the facts upon which the allegation is  
24 based. The court shall order blood or genetic tests if it appears that  
25 a reasonable possibility exists that the requisite sexual contact  
26 occurred or where nonpaternity is alleged, that the requisite sexual  
27 contact did not occur. The tests shall be performed by an expert in  
28 paternity blood or genetic testing appointed by the court. The  
29 expert's verified report identifying the blood or genetic  
30 characteristics observed is admissible in evidence in any hearing or  
31 trial in the parentage action, if (a) the alleged or presumed father  
32 has had the opportunity to gain information about the security,  
33 validity, and interpretation of the tests and the qualifications of any  
34 experts, and (b) the report is accompanied by an affidavit from the  
35 expert which describes the expert's qualifications as an expert and  
36 analyzes and interprets the results. Verified documentation of the  
37 chain of custody of the blood or genetic samples tested is admissible

1 to establish the chain of custody. The court may consider published  
2 sources as aids to interpretation of the test results.

3 (2)(a) Any objection to genetic testing results must be made in  
4 writing and served upon the opposing party, within twenty days before  
5 any hearing at which such results may be introduced into evidence.

6 (b) If an objection is not made as provided in this subsection, the  
7 test results are admissible as evidence of paternity without the need  
8 for foundation testimony or other proof of authenticity or accuracy.

9 (3) The court, upon request by a party, shall order that additional  
10 blood or genetic tests be performed by the same or other experts  
11 qualified in paternity blood or genetic testing, if the party  
12 requesting additional tests advances the full costs of the additional  
13 testing within a reasonable time. The court may order additional  
14 testing without requiring that the requesting party advance the costs  
15 only if another party agrees to advance the costs or if the court  
16 finds, after hearing, that (a) the requesting party is indigent, and  
17 (b) the laboratory performing the initial tests recommends additional  
18 testing or there is substantial evidence to support a finding as to  
19 paternity contrary to the initial blood or genetic test results. The  
20 court may later order any other party to reimburse the party who  
21 advanced the costs of additional testing for all or a portion of the  
22 costs.

23 (4) In all cases, the court shall determine the number and  
24 qualifications of the experts.

25 **Sec. 957.** RCW 26.26.130 and 1995 c 246 s 31 are each amended to  
26 read as follows:

27 (1) The judgment and order of the court determining the existence  
28 or nonexistence of the parent and child relationship shall be  
29 determinative for all purposes.

30 (2) If the judgment and order of the court is at variance with the  
31 child's birth certificate, the court shall order that an amended birth  
32 certificate be issued.

33 (3) The judgment and order shall contain other appropriate  
34 provisions directed to the appropriate parties to the proceeding,  
35 concerning the duty of current and future support, the extent of any  
36 liability for past support furnished to the child if that issue is  
37 before the court, the furnishing of bond or other security for the  
38 payment of the judgment, or any other matter in the best interest of

1 the child. The judgment and order may direct the father to pay the  
2 reasonable expenses of the mother's pregnancy and confinement. The  
3 judgment and order may include a continuing restraining order or  
4 injunction. In issuing the order, the court shall consider the  
5 provisions of RCW 9.41.800.

6 (4) The judgment and order shall contain the social security  
7 numbers of all parties to the order.

8 (5) Support judgment and orders shall be for periodic payments  
9 which may vary in amount. The court may limit the father's liability  
10 for the past support to the child to the proportion of the expenses  
11 already incurred as the court deems just. The court shall not limit or  
12 affect in any manner the right of nonparties including the state of  
13 Washington to seek reimbursement for support and other services  
14 previously furnished to the child.

15 ~~((+5+))~~ (6) After considering all relevant factors, the court shall  
16 order either or both parents to pay an amount determined pursuant to  
17 the schedule and standards contained in chapter 26.19 RCW.

18 ~~((+6+))~~ (7) On the same basis as provided in chapter 26.09 RCW, the  
19 court shall make residential provisions with regard to minor children  
20 of the parties, except that a parenting plan shall not be required  
21 unless requested by a party.

22 ~~((+7+))~~ (8) In any dispute between the natural parents of a child  
23 and a person or persons who have (a) commenced adoption proceedings or  
24 who have been granted an order of adoption, and (b) pursuant to a court  
25 order, or placement by the department of social and health services or  
26 by a licensed agency, have had actual custody of the child for a period  
27 of one year or more before court action is commenced by the natural  
28 parent or parents, the court shall consider the best welfare and  
29 interests of the child, including the child's need for situation  
30 stability, in determining the matter of custody, and the parent or  
31 person who is more fit shall have the superior right to custody.

32 ~~((+8+))~~ (9) In entering an order under this chapter, the court may  
33 issue any necessary continuing restraining orders, including the  
34 restraint provisions of domestic violence protection orders under  
35 chapter 26.50 RCW or antiharassment protection orders under chapter  
36 10.14 RCW.

37 ~~((+9+))~~ (10) Restraining orders issued under this section  
38 restraining the person from molesting or disturbing another party or  
39 from going onto the grounds of or entering the home, workplace, or

1 school of the other party or the day care or school of any child shall  
2 prominently bear on the front page of the order the legend: VIOLATION  
3 OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE  
4 UNDER CHAPTER 26.26 RCW AND WILL SUBJECT A VIOLATOR TO ARREST.

5 (~~(10)~~) (11) The court shall order that any restraining order  
6 bearing a criminal offense legend, any domestic violence protection  
7 order, or any antiharassment protection order granted under this  
8 section be forwarded by the clerk of the court on or before the next  
9 judicial day to the appropriate law enforcement agency specified in the  
10 order. Upon receipt of the order, the law enforcement agency shall  
11 forthwith enter the order into any computer-based criminal intelligence  
12 information system available in this state used by law enforcement  
13 agencies to list outstanding warrants. The order is fully enforceable  
14 in any county in the state.

15 **Sec. 958.** RCW 70.58.055 and 1991 c 96 s 1 are each amended to read  
16 as follows:

17 (1) To promote and maintain nation-wide uniformity in the system of  
18 vital statistics, the certificates required by this chapter or by the  
19 rules adopted under this chapter shall include, as a minimum, the items  
20 recommended by the federal agency responsible for national vital  
21 statistics including social security numbers.

22 (2) The state board of health by rule may require additional  
23 pertinent information relative to the birth and manner of delivery as  
24 it may deem necessary for statistical study. This information shall be  
25 placed in a confidential section of the birth certificate form and  
26 shall not be subject to the view of the public or for certification  
27 purposes except upon order of the court. The state board of health may  
28 eliminate from the forms items that it determines are not necessary for  
29 statistical study.

30 (3) Each certificate or other document required by this chapter  
31 shall be on a form or in a format prescribed by the state registrar.

32 (4) All vital records shall contain the data required for  
33 registration. No certificate may be held to be complete and correct  
34 that does not supply all items of information called for or that does  
35 not satisfactorily account for the omission of required items.

36 (5) Information required in certificates or documents authorized by  
37 this chapter may be filed and registered by photographic, electronic,  
38 or other means as prescribed by the state registrar.



1 **2SHB 1079** - H AMD

2 By Representative

3

4 On page 1, line 1 of the title, after "responsibility;" strike the  
5 remainder of the title and insert "amending RCW 74.08.340, 74.08.025,  
6 74.12.035, 74.09.510, 74.04.770, 74.20A.020, 46.20.291, 46.20.311,  
7 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100, 18.27.060,  
8 18.28.060, 18.39.181, 18.46.050, 18.96.120, 18.104.110, 18.106.070,  
9 18.130.150, 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115,  
10 19.28.310, 19.28.580, 19.30.060, 19.16.120, 19.31.130, 19.32.060,  
11 19.105.380, 19.105.440, 19.138.130, 19.158.050, 19.166.040, 21.20.110,  
12 66.20.320, 67.08.040, 67.08.100, 19.02.100, 43.24.080, 43.24.110,  
13 43.24.120, 70.74.110, 70.74.130, 70.74.370, 66.24.010, 43.63B.040,  
14 70.95D.040, 17.21.130, 64.44.060, 19.146.220, 75.25.150, 75.28.010,  
15 26.23.050, 26.18.100, 26.23.060, 74.20.040, 26.23.090, 74.20A.100,  
16 26.23.045, 26.23.030, 74.20A.080, 26.23.120, 26.04.160, 26.09.170,  
17 26.21.005, 26.21.115, 26.21.135, 26.21.235, 26.21.245, 26.21.255,  
18 26.21.265, 26.21.450, 26.21.490, 26.21.520, 26.21.530, 26.21.580,  
19 26.21.590, 26.21.620, 26.23.035, 74.20A.030, 74.20.320, 74.20.330,  
20 70.58.080, 26.26.040, 74.20A.055, 26.23.040, 26.23.040, 26.26.130, and  
21 70.58.055; reenacting and amending RCW 74.04.005, 18.145.080,  
22 74.20A.270, 42.17.310, 74.20A.060, 74.20A.056, 26.09.020, and  
23 26.26.100; adding new sections to chapter 74.12 RCW; adding a new  
24 section to chapter 74.12A RCW; adding new sections to chapter 74.08  
25 RCW; adding new sections to chapter 74.25 RCW; adding a new section to  
26 chapter 74.04 RCW; adding new sections to chapter 43.20A RCW; adding  
27 new sections to chapter 50.13 RCW; adding a new section to chapter  
28 50.40 RCW; adding new sections to chapter 74.20A RCW; adding a new  
29 section to chapter 48.22 RCW; adding a new section to chapter 2.48 RCW;  
30 adding a new section to chapter 18.04 RCW; adding a new section to  
31 chapter 18.08 RCW; adding a new section to chapter 18.16 RCW; adding a  
32 new section to chapter 18.20 RCW; adding a new section to chapter 18.28  
33 RCW; adding a new section to chapter 18.39 RCW; adding a new section to  
34 chapter 18.43 RCW; adding a new section to chapter 18.44 RCW; adding a  
35 new section to chapter 18.51 RCW; adding a new section to chapter 18.76  
36 RCW; adding a new section to chapter 18.85 RCW; adding a new section to  
37 chapter 18.106 RCW; adding a new section to chapter 18.130 RCW; adding  
38 a new section to chapter 18.140 RCW; adding a new section to chapter  
39 18.145 RCW; adding a new section to chapter 18.165 RCW; adding a new

1 section to chapter 18.170 RCW; adding a new section to chapter 18.175  
2 RCW; adding a new section to chapter 18.185 RCW; adding a new section  
3 to chapter 28A.410 RCW; adding a new section to chapter 20.01 RCW;  
4 adding a new section to chapter 48.17 RCW; adding a new section to  
5 chapter 74.15 RCW; adding a new section to chapter 47.68 RCW; adding a  
6 new section to chapter 71.12 RCW; adding a new section to chapter 66.20  
7 RCW; adding a new section to chapter 66.24 RCW; adding a new section to  
8 chapter 88.02 RCW; adding a new section to chapter 43.24 RCW; adding a  
9 new section to chapter 70.95B RCW; adding new sections to chapter 75.25  
10 RCW; adding new sections to chapter 77.32 RCW; adding a new section to  
11 chapter 75.28 RCW; adding new sections to chapter 74.20 RCW; adding new  
12 sections to chapter 26.23 RCW; adding new sections to chapter 26.21  
13 RCW; adding a new section to chapter 26.26 RCW; adding a new section to  
14 chapter 26.18 RCW; creating new sections; repealing RCW 74.12.420,  
15 74.12.425, 74.25.010, 74.25.020, 74.25.030, 74.25.040, 74.25A.005,  
16 74.25A.010, 74.25A.020, 74.25A.030, 74.25A.040, 74.25A.045, 74.25A.050,  
17 74.25A.060, 74.25A.070, 74.25A.080, 74.08.120, and 74.08.125; providing  
18 an effective date; and providing expiration dates."

--- END ---