

FINAL BILL REPORT

HB 2579

C 86 L 00

Synopsis as Enacted

Brief Description: Making technical corrections to the implementation of the federal personal responsibility and work opportunity reconciliation act of 1996.

Sponsors: Representatives Lambert and Dickerson; by request of Department of Social and Health Services.

House Committee on Children & Family Services
Senate Committee on Labor & Workforce Development

Background:

As part of welfare reform, the federal Person Responsibility and Work Opportunity Act of 1996 (PWORA) made various changes in public assistance programs. It included provisions regarding enforcement of child support orders.

The PWORA requires that the states pass laws which allow for withholding, suspension, or restriction on the use of driver's, professional, occupational, or recreational licenses of delinquent obligors. When Washington's licensing statutes were amended in 1997 as part of the state's welfare reform, licenses granted under the Horse Racing Commission were overlooked.

The notice of payroll deduction, the order to withhold and deliver, and the notice of enrollment to enforce an order to provide health care coverage for a child have differing time frames and service requirements. The use of the uniform withholding form by a state is required by the PWORA; however, Washington does not require the use of the uniform form.

Washington's foster care payments law was also amended to conform with PWORA, but the subrogation and assignment rights of the state for such a payment were excluded.

The PWORA requires the states to give full faith and credit to liens filed by other states, and provides for high volume, automated enforcement of interstate cases.

Summary of Bill:

Changes are made to conform Washington law to the federal requirements under the PWORA.

The notice of enrollment may be served on the obligor's employer or union by mail. The notice must be answered within 20 days, thereby making the answer period the same as the notice of payroll deduction and the order to withhold and deliver. An employer is no longer required to retain an order to withhold and deliver for a former employee-obligor.

Full faith and credit is accorded to liens filed by other states. The subrogation and assignment rights for child support are awarded to the Division of Child Support on behalf a foster child who receives public assistance under Title IV-E of the Social Security Act. The division may take enforcement action against the assets of a noncustodial parent located in Washington, regardless of the presence of the noncustodial parent. Washington may file a jeopardy lien against an obligor's property located within the state, regardless of the presence or residence of the obligor.

The uniform interstate withholding form is adopted for use in Washington. A certification process is created to assist other states in high volume, automated enforcement of interstate child support cases.

A delinquent obligor's license granted by the Horse Racing Commission may be suspended.

Votes on Final Passage:

House	96	0
Senate	45	0

Effective: June 8, 2000