

SENATE BILL REPORT

SB 6200

As Reported By Senate Committee On:
Human Services & Corrections, January 31, 2006

Title: An act relating to creating a child support performance award.

Brief Description: Creating a child support performance award.

Sponsors: Senator Rockefeller.

Brief History:

Committee Activity: Human Services & Corrections: 1/17/06. 1/31/06 [DPS-WM, DNP]

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6200 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, McAuliffe and Thibaudeau.

Minority Report: Do not pass.

Signed by Senator Brandland.

Staff: Shani Bauer (786-7468)

Background: The Department of Social & Health Services (DSHS) is designated by law as the agency responsible for administering the child support program. The DSHS establishes, enforces, and collects support obligations when a child is receiving cash assistance or if a child is not on public assistance when a request for services is received.

Under current law, a person who is the subject of a support order being enforced by the DSHS is entitled to receive copies of records and information from the DSHS unless the information is otherwise exempt from disclosure. The DSHS is charged with establishing procedures for how a person can obtain information and records.

A parent's payment history is not exempt from disclosure to the parent. A DSHS regulation currently provides that a parent may request a copy of records or information orally or in writing.

Summary of Substitute Bill: Annually, or upon request, the DSHS is required to issue, to a child support obligor or noncustodial parent, a formal accounting or financial statement, documenting payments and credits for child support and spousal maintenance, if applicable.

The DSHS must award a certificate to those who are in satisfactory or excellent compliance with their noncustodial financial obligations at the end of each year, or upon request.

The DSHS must keep a record of the certificate, which may be admitted at the court's discretion, as evidence in civil proceedings involving the noncustodial parent.

An application for support enforcement services on the bottom of a support order is required to include information to the applicant regarding the different level of support services that may be obtained from the Division of Child Support and how a party may discontinue receiving support services. The application must be signed and notarized.

Substitute Bill Compared to Original Bill: The provisions addressing the application for support enforcement services on the bottom of a support order are added.

Appropriation: None.

Fiscal Note: Requested on 1/12/06.

Committee/Commission/Task Force Created: No.

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

Testimony For: The payment history currently provided by the DSHS does not sufficiently break down the payments and credits for accounting purposes. Further, there is little reward for paying parents in keeping obligations current. The vision is to create positive reinforcement for paying parents without costing the state money.

Testimony Against: Non custodial parents contribute much more to their children than financial support. A certificate does no good unless courts are required to take payment of support into consideration when considering custody and visitation issues. Non custodial parents really want accountability for money paid to the parent and more time with their child (ren).

The DSHS currently provides a certified copy of the payment history to parents upon request. Parents are sometimes frustrated when the DSHS cannot provide information on credits for payments that were not made to the DSHS. The DSHS has 350,000 child support cases. Sending a payment history to each case every year or more often upon request has the significant potential for increased costs.

Who Testified: PRO: William M. Bauer, MD.

CON: Mark Shattuck; David Stillman, Division of Child Support; Elisa Teague, WA Civil Rights Council; Greg M. Howe, The Other Parent.