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SENATE BILL 5866

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State of Washington

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By Senators Owen, Rasmussen, Vognild, Roach, West, Bauer, Oke, Erwin and L. Smith.

Read first time February 26, 1991. Referred to Committee on Children & Family Services.

1 AN ACT Relating to stepchildren; and amending RCW 26.16.205 and  
2 74.20A.020.

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

4 **Sec. 1.** RCW 26.16.205 and 1990 1st ex.s. c 2 s 13 are each amended  
5 to read as follows:

6 The expenses of the family and the education of the children, not  
7 including stepchildren, are chargeable upon the property of both  
8 husband and wife, or either of them, and they may be sued jointly or  
9 separately. (~~When a petition for dissolution of marriage or a  
10 petition for legal separation is filed, the court may, upon motion of  
11 the stepparent, terminate the obligation to support the stepchildren.  
12 The obligation to support stepchildren shall cease upon the entry of a  
13 decree of dissolution, decree of legal separation, or death.~~)

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

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

6       (1) "Department" means the state department of social and health  
7 services.

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

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

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

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

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

19       (5) "Superior court order" means any judgment, decree, or order of  
20 the superior court of the state of Washington, or a court of comparable  
21 jurisdiction of another state, establishing the existence of a support  
22 obligation and ordering payment of a set or determinable amount of  
23 support moneys to satisfy the support obligation. For purposes of RCW  
24 74.20A.055, orders for support which were entered under the uniform  
25 reciprocal enforcement of support act by a state where the responsible  
26 parent no longer resides shall not preclude the department from  
27 establishing an amount to be paid as current and future support.

28       (6) "Administrative order" means any determination, finding,  
29 decree, or order for support pursuant to RCW 74.20A.055, or by an  
30 agency of another state pursuant to a substantially similar

1 administrative process, establishing the existence of a support  
2 obligation and ordering the payment of a set or determinable amount of  
3 support moneys to satisfy the support obligation.

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

8 (8) (~~("Stepparent" means the present spouse of the person who is~~  
9 ~~either the mother, father, or adoptive parent of a dependent child, and~~  
10 ~~such status shall exist until terminated as provided for in RCW~~  
11 ~~26.16.205.~~

12 (~~9~~)) "Support moneys" means any moneys or in-kind providings paid  
13 to satisfy a support obligation whether denominated as child support,  
14 spouse support, alimony, maintenance, or any other such moneys intended  
15 to satisfy an obligation for support of any person or satisfaction in  
16 whole or in part of arrears or delinquency on such an obligation.

17 (~~(10)~~) (9) "Support debt" means any delinquent amount of support  
18 moneys which is due, owing, and unpaid under a superior court order or  
19 an administrative order, a debt for the payment of expenses for the  
20 reasonable or necessary care, support, and maintenance, including  
21 medical expenses, of a dependent child or other person for whom a  
22 support obligation is owed; or a debt under RCW 74.20A.100 or  
23 74.20A.270. Support debt also includes any accrued interest, fees, or  
24 penalties charged on a support debt, and attorneys fees and other costs  
25 of litigation awarded in an action to establish and enforce a support  
26 obligation or debt.

27 (~~(11)~~) (10) "State" means any state or political subdivision,  
28 territory, or possession of the United States, the District of  
29 Columbia, and the commonwealth of Puerto Rico.