

2 **E4SHB 1481** - S COMM AMD
3 By Committee on Ways & Means

4 ADOPTED AS AMENDED 2/29/96

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

7 **"MAKING WELFARE WORK**

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25 NEW SECTION. **Sec. 1.** INTENT. The legislature finds that it is
26 important for the well-being of society, and for the families receiving
27 aid to families with dependent children, that the provision of welfare

1 from the public treasury reflect the values of mainstream American
2 culture, specifically the importance of work, responsibility, and
3 accountability for individual actions, and the value of the marriage
4 commitment to each member of the family, including the children.

5 Therefore, it is the public policy of the state of Washington,
6 through its aid to families with dependent children or applicant for
7 assistance programs, to require every able-bodied citizen on aid to
8 families with dependent children or applicant for assistance to engage
9 in paid or unpaid employment or engage in short-term training directed
10 towards employment, to require accountability of all parents, and to
11 discourage teen pregnancy by unwed parents as an action that is
12 destructive to society.

13 **PART I. TARGET GROUPS**

14 NEW SECTION. **Sec. 101.** A new section is added to chapter 74.12
15 RCW to read as follows:

16 TARGET GROUP CONTRACTS. The department shall assess each applicant
17 approved for assistance, and, within twelve months of the effective
18 date of this section, all recipients based upon age, employment
19 history, and condition of disability, and shall target assistance based
20 upon factors set forth in chapter . . . , Laws of 1996 (this act). The
21 department shall include, as part of the information required of the
22 individual assessed, the number of hours of paid employment performed
23 in the twelve months before applying for assistance and the hourly rate
24 of pay. The department shall use this information in order to select
25 the appropriate target group for the individual assessed.

26 **A. JOB-READY TARGET GROUP**

27 NEW SECTION. **Sec. 102.** A new section is added to chapter 74.12
28 RCW to read as follows:

29 JOB-READY TARGET GROUP. All applicants approved for assistance who
30 are age eighteen or older and whose recent work experience was at the
31 hourly rate of six dollars and fifty cents or more shall be entitled to
32 grant assistance if they engage in an intensive self-determined job
33 search, and shall be given referrals to appropriate state and local job
34 search resources. All applicants for aid to families with dependent
35 children-employable, and within twelve months all recipients of aid to

1 families with the dependent children-employable, shall be included in
2 the job-ready target group. Recipients in this target group shall
3 inform the department when they become employed, and shall be eligible
4 for a period of child care and medical benefits. They shall not be
5 eligible for participation in welfare-to-work pilot projects. It is
6 the intent of the legislature to refrain from excess expenditures on
7 this group of aid to families with dependent children recipients, as
8 studies have demonstrated that job-ready individuals leave aid to
9 families with dependent children programs quickly with minimal public
10 help. Assessment and administrative costs shall be kept to a minimal
11 level for this target group. Any recipients in this group who do not
12 have paid employment within six months of beginning to receive benefits
13 shall contract for participation in the job preparation target group as
14 a condition of continued benefit receipt.

15 **B. JOB PREPARATION TARGET GROUP**

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

18 **JOB PREPARATION TARGET GROUP.** All applicants approved for
19 assistance and, within twelve months of the effective date of this
20 section, all recipients, who are age eighteen or older and do not meet
21 the qualifications for participation in the job-ready target group or
22 who have been in the job-ready target group for six months without
23 obtaining employment, shall contract with the department for
24 participation in at least one of the alternate welfare-to-work programs
25 provided for the job preparation target group. This group shall be
26 required, as a condition of benefit receipt, to enroll in at least one
27 of the following:

- 28 (1) The tax incentive partnership program under chapters 74.-- and
29 82.-- RCW (sections 206 through 208 and 203 through 205 of this act,
30 respectively);
- 31 (2) Any available public or approved private welfare-to-work
32 program, under contract with the department; or
- 33 (3) The job opportunities and basic skills training program.

34 **C. TEEN PARENT TARGET GROUP**

1 NEW SECTION. Sec. 104. A new section is added to chapter 74.12
2 RCW to read as follows:

3 TEEN PARENT TARGET GROUP. All applicants under the age of eighteen
4 years who are approved for assistance and, within twelve months of the
5 effective date of this section, all recipients who are under the age of
6 eighteen and are unmarried shall, as a condition of receiving benefits,
7 actively progress toward the completion of a high school diploma or a
8 GED, and live in a supervised setting, as provided in RCW 74.12.255 or
9 section 301 of this act. Applicants under the age of eighteen years
10 are not subject to the sixty-month limitation in section 401 of this
11 act.

12 **Sec. 105.** RCW 74.12.255 and 1994 c 299 s 33 are each amended to
13 read as follows:

14 (1) The department shall determine, after consideration of all
15 relevant factors and in consultation with the applicant approved for
16 assistance, and within twelve months of the effective date of this
17 section in consultation with the recipient, the most appropriate living
18 situation for ~~((applicants))~~ those under eighteen years of age,
19 unmarried, and either pregnant or having a dependent child in the
20 applicant's or recipient's care. Appropriate living ~~((situations shall~~
21 ~~include a))~~ situation means the place of residence maintained by the
22 approved applicant's, and within twelve months of the effective date of
23 this section, the recipient's parent, legal guardian, or other adult
24 relative as their own home, or ~~((other))~~ if the department determines
25 that living situation to be abusive or neglectful under chapter 26.44
26 RCW, another appropriate supportive living arrangement supervised by an
27 adult ~~((where feasible)),~~ with first preference to an approved group
28 home where available, and consistent with federal regulations ~~((under~~
29 ~~45 C.F.R. chapter II, section 233.107))~~.

30 (2) An applicant approved for assistance, and within twelve months
31 of the effective date of this section, a recipient, under eighteen
32 years of age who is either pregnant or has a dependent child ~~((and is~~
33 ~~not living in a situation described in subsection (1) of this section))~~
34 shall be presumed to be unable to manage adequately the funds paid on
35 behalf of the dependent child and ~~((, unless the teenage custodial~~
36 ~~parent demonstrates otherwise,))~~ shall be subject to the protective
37 payee requirements provided for under RCW 74.12.250 and 74.08.280.

1 (3) The department shall consider any statements or opinions by
2 either parent of the teen (~~recipient~~) as to an appropriate living
3 situation for the teen, whether in the parental home or other
4 situation. If the parents of the teen (~~head of household applicant~~
5 ~~for assistance~~) request, they shall be entitled to a hearing in
6 juvenile court regarding the fitness and suitability of their home as
7 the top priority choice for the pregnant or parenting teen (~~applicant~~
8 ~~for assistance~~)).

9 The parents of the teen shall have the opportunity to make a
10 showing, based on the preponderance of the evidence, that (~~the~~
11 ~~parental~~) their home is the most appropriate living situation.

12 (4) To encourage adoption, in cases in which the (~~head of~~
13 ~~household~~) teen parent is under eighteen years of age(~~(7)~~) and
14 unmarried, (~~unemployed, and requests information on adoption,~~) the
15 department shall(~~(7 as part of the determination of the appropriate~~
16 ~~living situation,~~) provide information about adoption including
17 referral to community-based organizations for counseling.

18 (5) As a condition of receiving aid to families with dependent
19 children, an unmarried pregnant or parenting applicant approved for
20 assistance and, within twelve months of the effective date of this
21 section, an unmarried pregnant or parenting recipient under the age of
22 eighteen shall be required to reside in an appropriate living situation
23 as determined according to this section and to actively progress toward
24 a high school diploma or a GED unless certified by a health care
25 provider licensed under chapter 18.71 or 18.83 RCW to be unable to
26 complete such education, whereupon the department shall facilitate his
27 or her application for supplemental security income.

28 **PART II. WELFARE-TO-WORK PROGRAMS**

29 **A. GENERAL REQUIREMENTS AND MANDATORY JOBS**

30 **Sec. 201.** RCW 74.25.010 and 1994 c 299 s 6 are each amended to
31 read as follows:

32 The legislature establishes as state policy the goal of economic
33 self-sufficiency for employable recipients of (~~public assistance~~) aid
34 to families with dependent children, through employment, training, and
35 education. In furtherance of this policy, the legislature intends to
36 comply with the requirements of the federal social security act, as

1 amended, by creating a job opportunities and basic skills training
2 program for applicants and recipients of aid to families with dependent
3 children. (~~The purpose of this program is to provide recipients of~~
4 ~~aid to families with dependent children the opportunity to obtain~~
5 ~~appropriate education, training, skills, and supportive services,~~
6 ~~including child care, consistent with their needs, that will help them~~
7 ~~enter or reenter gainful employment, thereby avoiding long term welfare~~
8 ~~dependence and achieving economic self-sufficiency.)) The job
9 opportunities and basic skills training program shall provide
10 employment and training and education support services to assist
11 recipients under chapter 74.04 RCW to obtain employment. The program
12 shall be operated by the department of social and health services in
13 conformance with federal law (~~and consistent with the following~~
14 ~~legislative findings:~~)).~~

15 (1) The legislature finds that the well-being of children depends
16 (~~not only on meeting their material needs, but also~~) on the ability
17 of parents to become economically self-sufficient. It is in this way
18 that the material needs of children can best be met. The job
19 opportunities and basic skills training program is specifically
20 directed at increasing the labor force participation and household
21 earnings of aid to families with dependent children recipients, through
22 the removal of barriers preventing them from achieving self-
23 sufficiency. (~~These barriers include, but are not limited to, the~~
24 ~~lack of recent work experience, supportive services such as affordable~~
25 ~~and reliable child care, adequate transportation, appropriate~~
26 ~~counseling, and necessary job-related tools, equipment, books,~~
27 ~~clothing, and supplies, the absence of basic literacy skills, the lack~~
28 ~~of educational attainment sufficient to meet labor market demands for~~
29 ~~career employees, and the nonavailability of useful labor market~~
30 ~~assessments.))~~

31 (2) The legislature (~~also~~) recognizes that aid to families with
32 dependent children recipients (~~must be acknowledged as active~~) are
33 participants in self-sufficiency planning under the program. The
34 legislature finds that the department of social and health services
35 should clearly communicate (~~concepts of the importance~~) a requirement
36 of work and how performance and effort directly affect future career
37 and educational opportunities and economic well-being, as well as
38 personal empowerment, self-motivation, and self-esteem to program
39 participants. The legislature further recognizes that informed choice

1 is consistent with individual responsibility, and that parents should
2 be given a range of options for available child care while
3 participating in the program.

4 (3) The legislature finds that current work experience is one of
5 the most important factors influencing an individual's ability to work
6 toward financial stability and an adequate standard of living in the
7 long term, and that work experience should be the most important
8 component of the program.

9 (4) The legislature finds that education, including, but not
10 limited to, literacy, high school equivalency, vocational, secondary,
11 and postsecondary, is one of the most important tools an individual
12 needs to achieve full independence, and that this should be an
13 important component of the program.

14 (5) The legislature further finds that the objectives of this
15 program are to assure that aid to families with dependent children
16 recipients gain experience in the labor force and thereby enhance their
17 long-term ability to achieve financial stability and an adequate
18 standard of living at wages that will meet family needs.

19 (6) The legislature finds that a critical component for successful
20 reductions in the aid to families with dependent children caseloads is
21 through employment. Employment opportunities must be increased through
22 public-private partnerships. The department shall work with the
23 private sector to meet market needs, increase employability through on-
24 the-job training opportunities, and develop financial incentives for
25 employers to hire recipients.

26 (7) All participants in the job opportunities and basic skills
27 training program shall, within thirty days of approval of assistance
28 for aid to families with dependent children, or in the case of
29 recipients, within thirty days of assessment, sign a written employment
30 development contract of mutual responsibility with the department, or
31 be ineligible for financial assistance from the department until the
32 contract which shall be developed with the full involvement of the
33 participant, is signed.

34 (a) The contract shall set forth the responsibilities of and
35 expectations for the program participants and responsibilities and
36 obligation of the department, including services to be provided to the
37 participating family. The contract shall identify specific employment,
38 training, education, community volunteer experiences, including
39 participation in the community volunteer program set forth in section

1 209 of this act, or support activities that will direct a participant
2 toward gainful employment and eventually self-sufficiency. The
3 contract shall be in a format developed for state-wide use and shall
4 clearly state each of the requirements and responsibilities set forth
5 in section 401 of this act.

6 (b) The department shall review the employment development contract
7 of mutual responsibility every six months and assess the participant's
8 progress. Except for sanctions in situations specified in section 401
9 of this act, the department shall reduce aid to families with dependent
10 children benefits by thirty-three percent every month for which the
11 recipient is found to be out of compliance with the contract.

12 (8) Participants in the job preparation target group shall each be
13 limited to the components of their initial contract unless good cause
14 for exception is presented.

15 **Sec. 202.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to
16 read as follows:

17 (1) The department of social and health services is authorized to
18 contract with public and private employment and training agencies and
19 other public service entities to provide services prescribed or allowed
20 under the federal social security act, as amended, to carry out the
21 purposes of the jobs training program. The department of social and
22 health services has sole authority and responsibility to carry out the
23 job opportunities and basic skills training program. No contracting
24 entity shall have the authority to review, change, or disapprove any
25 administrative decision, or otherwise substitute its judgment for that
26 of the department of social and health services as to the application
27 of policies and rules adopted by the department of social and health
28 services.

29 ~~(2) ((To the extent feasible under federal law, the department of~~
30 ~~social and health services and all entities contracting with it shall~~
31 ~~give first priority of service to individuals volunteering for program~~
32 ~~participation.~~

33 ~~(3) The department of social and health services shall adopt rules~~
34 ~~under chapter 34.05 RCW establishing criteria constituting~~
35 ~~circumstances of good cause for an individual failing or refusing to~~
36 ~~participate in an assigned program component, or failing or refusing to~~
37 ~~accept or retain employment. These criteria shall include, but not be~~
38 ~~limited to, the following circumstances: (a) If the individual is a~~

1 ~~parent or other relative personally providing care for a child under~~
2 ~~age six years, and the employment would require the individual to work~~
3 ~~more than twenty hours per week; (b) if child care, or day care for an~~
4 ~~incapacitated individual living in the same home as a dependent child,~~
5 ~~is necessary for an individual to participate or continue participation~~
6 ~~in the program or accept employment, and such care is not available,~~
7 ~~and the department of social and health services fails to provide such~~
8 ~~care; (c) the employment would result in the family of the participant~~
9 ~~experiencing a net loss of cash income; or (d) circumstances that are~~
10 ~~beyond the control of the individual's household, either on a short-~~
11 ~~term or on an ongoing basis.~~

12 (4)) The department of social and health services shall adopt
13 rules under chapter 34.05 RCW as necessary to effectuate the intent and
14 purpose of this chapter.

15 **B. TAX INCENTIVE PROGRAM**

16 NEW SECTION. **Sec. 203.** (1) An employer shall be allowed a credit
17 against tax due under chapter 82.04 or 82.16 RCW of an amount equal to
18 one hundred twenty percent of the payment made by the employer, to a
19 qualified training institution under a training plan for training a
20 qualified employee, subject to the limitations set forth in this
21 section. An employer may not receive a credit for the same amounts
22 under both chapters 82.04 and 82.16 RCW.

23 (2) A person claiming the credit shall file an affidavit form
24 prescribed by the department, which shall include the amount of the
25 credit claimed and additional information as the department may
26 require.

27 (3)(a) The tax credit in respect to any qualified employee may not
28 in a calendar year exceed:

29 (i) The lesser of twelve percent of the qualified employee's gross
30 annual wages or one thousand two hundred dollars in the case of a
31 category 1 qualified employee;

32 (ii) The lesser of twenty-four percent of the qualified employee's
33 gross annual wages or two thousand four hundred dollars, in the case of
34 a category 2 qualified employee; or

35 (iii) The lesser of thirty-six percent of the qualified employee's
36 gross annual wages or three thousand six hundred dollars in the case of
37 a category 3 qualified employee.

1 (b) The department of revenue shall, by December 1, 1997, for
2 calendar year 1998, and by December 1st of each year thereafter for the
3 following year, adjust the payment maximums under this subsection (3)
4 to reflect inflation, using the previous calendar year's limit as the
5 base amount to be adjusted. In making adjustments for inflation, the
6 department shall rely on the Consumer Price Index--Seattle, Washington
7 area for urban wage earners and clerical workers, compiled by the
8 Bureau of Labor Statistics, United States Department of Labor. The
9 department shall publish the new payment maximums which shall become
10 effective January 1st of the year following.

11 (4) The credit in respect to any qualified employee may not be
12 taken:

13 (a) For more than one year of training in the case of a category 1
14 qualified employee; or

15 (b) For more than two years of training in the case of a category
16 2 or category 3 qualified employee.

17 (5) The credit shall be taken against taxes due for the same
18 calendar year in which the payment is made to the qualified training
19 institution and must be claimed by the due date of the last tax return
20 for the calendar year in which the payment is made to the qualified
21 training institution.

22 (6) If the business, firm, or entity having a right to the tax
23 credit is sold, assigned, conveyed, or otherwise transferred, the
24 successor employer shall be allowed the credit. Unless the training
25 plan provides to the contrary, the successor employer shall be allowed
26 tax credits to the same extent as the previous employer.

27 (7) Total credits allowed to all employers claiming credits may not
28 exceed four million three hundred thousand for the biennium ending June
29 30, 1997, and fifteen million dollars in any biennium thereafter.

30 (8) This section shall expire December 31, 2004.

31 NEW SECTION. **Sec. 204.** The definitions in this section apply
32 throughout this chapter and sections 206 through 208 of this act,
33 unless the context indicates otherwise.

34 (1) "Gross annual wages" means salary, wages, tips, and other
35 compensation paid to a qualified employee paid by an employer claiming
36 the credit under this section during the calendar year for which the
37 credit is claimed.

1 (2) "Qualified employee" and "category 1, 2, or 3 qualified
2 employee" means an applicant for or recipient of aid to families with
3 dependent children certified as such by the department of social and
4 health services who is hired before June 30, 2001. "Qualified
5 employee" does not include any person hired by an employer to replace
6 strikers or locked-out workers.

7 (3) "Qualified training institution" means a community or technical
8 college, four-year college or university, a private vocational school
9 licensed by the work force training and education coordinating board or
10 approved by the higher education coordinating board, apprenticeship
11 programs recognized by the Washington state apprenticeship and training
12 council, or a private industry council that has entered into a training
13 plan that provides for the training of a qualified employee of a person
14 claiming the credit under this section.

15 (4) "Employer" means person or business as defined by RCW
16 82.04.030.

17 (5) "Training plan" means a written agreement, signed by a
18 qualified employee, a union or other employee bargaining representative
19 if the position is covered by a collective bargaining agreement, a
20 qualified training institution, the department of social and health
21 services or a designee of the department, and an employer, which
22 specifies the amount that the employer will pay the qualified training
23 institution for training and related costs for the qualified employee,
24 the learning objectives intended to be achieved by the training, and a
25 statement of progressively increasing scale of wages to be paid to the
26 employee during the training plan period, ending in a wage scale that
27 exceeds federal poverty levels for a family of three.

28 NEW SECTION. **Sec. 205.** Chapter 82.32 RCW applies to the
29 administration of this chapter.

30 NEW SECTION. **Sec. 206.** (1) The tax incentive program is hereby
31 established. The department of social and health services is
32 authorized to enter into training plans. The department of social and
33 health services shall adopt rules for the tax incentive program. The
34 rules shall include, but are not limited to:

35 (a) Designation of three categories of eligible aid to families
36 with dependent children recipients from within the job preparation
37 target group in chapter 74.12 RCW. The department of social and health

1 services shall by rule establish criteria for assigning recipients into
2 categories 1, 2, and 3. In establishing the criteria, the department
3 shall consider the degree of work experience, training, wage and
4 employment history, and education, category 1 representing recipients
5 with the highest degree of job readiness.

6 (b) Selection criteria that the department can use to establish a
7 pool of prospective aid to families with dependent children
8 participants.

9 (c) A restriction on the total number of employees that an employer
10 may have in the program, except that no more than twenty percent of the
11 employers' employees may participate in the program, except businesses
12 with fewer than five employees may have one employee participate.

13 (d) A requirement that the employer participate in the earned
14 income tax credit program, assisting each employee to obtain the earned
15 income tax credit monthly.

16 (e) Standards regarding length and learning objectives of training
17 plans, requiring the training institution to design the plan length and
18 learning objectives so that it meets accepted training standards for
19 that industry or profession. Training plans may not exceed two years.

20 (2) The department of social and health services may contract with
21 a public or private entity to carry out the department's duties under
22 this chapter. The department of social and health services reserves
23 the right to withdraw designation of authority to this entity without
24 showing cause.

25 (3) The department of social and health services shall manage the
26 program so that the total amount of credits by all employers claiming
27 tax credits under sections 203 through 205 of this act does not exceed
28 fifteen million dollars in any biennium. The department shall enter
29 into contracts with employers on a first-come, first-serve basis. The
30 department shall maintain an up-to-date tabulation of the potential
31 total amount of all credits that may be claimed during each biennium
32 under all training plans and shall not enter into any additional
33 training plan agreement if to do so would result in such amount
34 exceeding fifteen million dollars during a biennium.

35 (4) Employers who agree to accept a one hundred percent tax credit
36 instead of the one hundred twenty percent available under section
37 203(1) of this act shall be given priority in selection and placement
38 of qualified employees.

1 (2) In teen group homes, the cash grant for each resident teen
2 parent's assistance unit, as well as the food stamp allocation and any
3 other portion of any aid to families with dependent children benefit
4 accruing to the teen recipient shall be pooled, and under the control
5 of the home administrator, for the benefit of the teen parents and
6 their children, and shall not be given directly to the teen parent.

7 (3) Each teen parent living in the teen group home shall be given
8 the following case-managed services: Parenting education, maternal and
9 child nutritional education, tutoring to aid in the completion of high
10 school or a GED, money management, anger management, and substance
11 abuse treatment, including treatment for tobacco addiction, where
12 appropriate.

13 (4) Teen parents living in teen group homes shall, as a condition
14 of receiving benefits, progress toward completion of educational
15 requirements, help with household tasks at the home, attend and
16 participate in instruction provided for teen parents in residence, and
17 abide by house rules.

18 (5) House rules shall be established by each teen group home, and
19 may include a requirement that no unsupervised male visitors be
20 allowed, that a curfew be established, and that an equitable system of
21 shared child care responsibilities be provided to accommodate school
22 and work attendance for teen parents.

23 (6) The department shall assure the teen parent and dependents in
24 his or her assistance unit of the following: Adequate housing and
25 nutrition, medical care, tutoring toward completion of educational
26 requirements, and at least the minimal additional instruction and case-
27 managed care as provided for in this section.

28 **PART IV. REQUIREMENTS AND RESPONSIBILITIES**

29 NEW SECTION. **Sec. 401.** A new section is added to chapter 74.12
30 RCW to read as follows:

31 (1) At the end of a recipient's welfare-to-work program under a
32 contract entered into under section 103 of this act, which shall not
33 exceed two years, the recipient shall engage in a job search of up to
34 six months. At the end of this job search period, grant assistance
35 shall be reduced by twenty percent every six months. Except as
36 provided in this subsection, a recipient's months on grant assistance
37 may not exceed a lifetime limit of sixty months.

1 (a) Time limits shall be tolled in the event of:

2 (i) A medically certified temporary illness or disability of the
3 recipient, including temporary mental or physical disability occurring
4 as a result of domestic violence against the recipient;

5 (ii) The unavailability of appropriate care for a chronically ill
6 or disabled family member living in the home of the recipient; or

7 (iii) If child care is not available for a period of time.

8 (b) A recipient may extend full benefits including child care and
9 medical assistance and delay reduction of benefits for a period of an
10 additional two years by participating at least one hundred hours per
11 month in the community volunteer program under section 209 of this act.

12 (c) For purposes of calculating the months on grant assistance
13 under this subsection (1), only months on grant assistance after the
14 recipient has reached his or her eighteenth birthday shall be included
15 in the calculation.

16 (2) Except where otherwise specified, persons receiving aid to
17 families with dependent children shall be exempt from participation in
18 a job-ready or job preparation target group or a welfare-to-work
19 program:

20 (a) If there is a child under three years of age within ten months
21 of application, living in the home;

22 (b) For a period of twelve weeks after the birth of any child born
23 more than ten months from the date of application;

24 (c) If the recipient is a caretaker of a dependent child and is
25 disabled, including a learning disability as defined in section
26 601(1)(f) of this act; or

27 (d) If the average state unemployment rate is eight percent or
28 more, as determined by the employment security department. The time
29 limit shall be extended for any six-month period preceded by a fifty-
30 two week moving average unemployment rate of eight percent or more,
31 provided the recipient performs community service during the six
32 months.

33 (3) The department, working with the department of revenue, shall
34 encourage employers of recipients to use a month-to-month pass-through
35 of the federal earned income tax credit. The department shall
36 facilitate application for such tax credit in all cases where
37 recipients report earned income.

38 (4) To the extent that resources are available, the department
39 shall provide transitional child care for up to twenty-four months, in

1 accordance with federal requirements, to individuals who have completed
2 their welfare-to-work program or obtained employment.

3 (5) The department has the responsibility of supplying child care
4 to participants who have contracted for welfare-to-work or other
5 programs under chapter . . . , Laws of 1996 (this act).

6 (6) The department shall provide child care assistance to public
7 assistance recipients requesting such assistance, to enable them to
8 participate in employment, or in approved welfare-to-work employment
9 and training programs.

10 (7) The department shall provide transitional child care subsidies
11 for a period of twelve months following the last month of grant
12 assistance, for persons who leave public assistance due to earnings or
13 receipt of child support, and, within available funds, upon request of
14 the recipient, an additional twelve-month period.

15 (8) The department shall provide, upon request of a low-income
16 worker, and within available funds, employment child care subsidies for
17 low-income workers who do not receive public assistance payments.

18 (9) When the participant is no longer eligible for a cash grant due
19 to increased earnings through employment and has exhausted the
20 participant's twelve-month transitional benefit period for medical
21 assistance benefits, the department shall enroll the participant in the
22 basic health plan under chapter 70.47 RCW, pay any unsubsidized portion
23 of the participant's premium, and enroll the participant's eligible
24 children in medical assistance. Regardless of the participant's earned
25 income, state payment of the unsubsidized portion of the participant's
26 premium shall terminate after twelve months.

27 (10) The department shall seek any waivers needed from the federal
28 government to implement this section.

29 (11) The department shall report to appropriate committees in both
30 houses of the legislature if it discovers that participation in
31 welfare-to-work programs is about to cause clients to be placed on
32 waiting lists for programs or services required under this chapter.

33 NEW SECTION. **Sec. 402.** The time limits on public assistance in
34 section 401 of this act and the general requirements to participate in
35 job search and training in section 201 of this act do not apply in
36 situations where there is no parent residing in the child's home and
37 the child is residing with a relative of specified degree.

1 (b) "Noncompliance with a child support order" means a responsible
2 parent has:

3 (i) Accumulated arrears totaling more than six months of child
4 support payments;

5 (ii) Failed to make payments pursuant to a written agreement with
6 the department towards a support arrearage in an amount that exceeds
7 six months of payments; or

8 (iii) Failed to make payments required by a superior court order or
9 administrative order towards a support arrearage in an amount that
10 exceeds six months of payments.

11 (c) "License" means a license, certificate, registration, permit,
12 approval, or other similar document issued by a licensing entity
13 evidencing admission to or granting authority to engage in a
14 profession, occupation, business, or industry.

15 (d) "Licensee" means any individual holding a license, certificate,
16 registration, permit, approval, or other similar document issued by a
17 licensing entity evidencing admission to or granting authority to
18 engage in a profession, occupation, business, or industry.

19 (e) "Noncomplying custodial parent" means a parent who has custody
20 of the children in a family where the court has ordered visitation
21 rights for the noncustodial parent, and the custodial parent has not
22 complied with the visitation order.

23 (f) "Noncompliance with a visitation order" means the documented
24 failure of a custodial parent to follow the terms of a court-ordered
25 visitation plan.

26 (2) Upon notice and motion, a noncustodial parent who has a court-
27 ordered child visitation plan may seek judicial suspension of the
28 driver's business, occupational, or professional licenses cited in
29 sections 509 through 537 of this act, where the licensee is a
30 noncomplying custodial parent.

31 (3) The department may serve upon a responsible parent a notice
32 informing the responsible parent of the department's intent to submit
33 the parent's name to the department of licensing and any appropriate
34 licensing entity as a licensee who is not in compliance with a child
35 support order. The department shall attach a copy of the responsible
36 parent's child support order to the notice. Service of the notice must
37 be made by personal service. If, after reasonable diligence, personal
38 service has not been possible, service shall be by certified mail,
39 return receipt requested.

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

4 (a) The parent may request an adjudicative proceeding to contest
5 the issue of compliance. The only issues that may be considered at the
6 adjudicative proceeding are whether the parent is required to pay child
7 support under a child support order and whether the parent is in
8 compliance with that order;

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

12 (c) If the parent requests an adjudicative proceeding within twenty
13 days of service, the department will stay action to certify the parent
14 to the department of licensing and any licensing entity for
15 noncompliance with a child support order pending entry of a written
16 decision after the adjudicative proceeding;

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

22 (e) The department will stay action to certify the parent to the
23 department of licensing and any licensing entity for noncompliance if
24 the parent agrees to make timely payments of current support and agrees
25 to a reasonable payment schedule for payment of the arrears. It is the
26 parent's responsibility to contact in person or by mail the
27 department's division of child support office indicated on the notice
28 within twenty days of service of the notice to arrange for a payment
29 schedule. The department may stay certification for up to thirty days
30 after contact from a parent to arrange for a payment schedule;

31 (f) If the department certifies the responsible parent to the
32 department of licensing and a licensing entity for noncompliance with
33 a child support order, the licensing entity will suspend the parent's
34 license and the department of licensing will suspend any driver's
35 license that the parent holds until the parent provides the department
36 of licensing and the licensing entity with a written release from the
37 department stating that the responsible parent is in compliance with
38 the child support order;

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

4 (h) If after receiving the notice of noncompliance with a child
5 support order, the responsible parent files a motion to modify support
6 with the court or requests the department to amend a support obligation
7 established by an administrative decision, the department or the court
8 may, for up to one hundred eighty days, stay action to certify the
9 parent to the department of licensing and any licensing entity for
10 noncompliance with a child support order. If a motion for modification
11 of a court or administrative order for child support is pending prior
12 to service of the notice, any action to certify the parent to a
13 licensing entity for noncompliance with a child support order shall be
14 automatically stayed until entry of a final order or decision in the
15 modification proceedings. The responsible parent has the obligation to
16 notify the department that a modification proceeding is pending and
17 provide a copy of the motion or request for modification; and

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

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

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

38 (7) If a responsible parent contacts the department's division of
39 child support office indicated on the notice of noncompliance within

1 twenty days of service of the notice and requests arrangement of a
2 payment schedule, the department shall stay the certification of
3 noncompliance during negotiation of the schedule for payment of
4 arrears. In no event shall the stay continue for more than thirty days
5 from the date of contact by the parent. The department shall make good
6 faith efforts to establish a schedule for payment of arrears that is
7 fair and reasonable, and that considers the financial situation of the
8 responsible parent and the needs of all children who rely on the
9 responsible parent for support. At the end of the thirty days, if no
10 payment schedule has been agreed to in writing, the department shall
11 proceed with certification of noncompliance.

12 (8) If a responsible parent timely requests an adjudicative
13 proceeding to contest the issue of compliance, the department may not
14 certify the name of the parent to the department of licensing or a
15 licensing entity for noncompliance with a child support order unless
16 the adjudicative proceeding results in a finding that the responsible
17 parent is not in compliance with the order.

18 (9) The department may certify in writing to the department of
19 licensing and any appropriate licensing entity the name of a
20 responsible parent who is not in compliance with a child support order
21 if:

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

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

28 (c) The department and the responsible parent have been unable to
29 agree on a fair and reasonable schedule for payment of the arrears; or

30 (d) The court enters a judgment on a petition for judicial review
31 that finds the responsible parent is not in compliance with a child
32 support order.

33 The department shall send by certified mail, return receipt
34 requested a copy of any certification of noncompliance filed with the
35 department of licensing or a licensing entity to the responsible parent
36 at the responsible parent's most recent address of record.

37 (10) The department of licensing and a licensing entity shall
38 notify a responsible parent certified by the department under
39 subsection (9) of this section, without undue delay, that the parent's

1 driver's license or other license has been suspended because the
2 parent's name has been certified by the department as a responsible
3 parent who is not in compliance with a child support order.

4 (11) When a responsible parent who is served notice under
5 subsection (3) of this section subsequently complies with the child
6 support order, the department shall promptly provide the parent with a
7 written release stating that the responsible parent is in compliance
8 with the order.

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

11 (13) Nothing in this section prohibits a responsible parent from
12 filing a motion to modify support with the court or from requesting the
13 department to amend a support obligation established by an
14 administrative decision. If there is a reasonable likelihood that the
15 motion or request will significantly change the amount of the arrears,
16 the department or the court may, for up to one hundred eighty days,
17 stay action to certify the responsible parent to the department of
18 licensing and any licensing entity for noncompliance with a child
19 support order. If a motion for modification of a court or
20 administrative order for child support is pending prior to service of
21 the notice, any action to certify the parent to a licensing entity for
22 noncompliance with a child support order shall be automatically stayed
23 until entry of a final order or decision in the modification
24 proceedings. The responsible parent has the obligation to notify the
25 department that a modification proceeding is pending and provide a copy
26 of the motion or request for modification.

27 (14) The department of licensing and a licensing entity may issue,
28 renew, reinstate, or otherwise extend a license in accordance with the
29 licensing entity's or the department of licensing's rules after the
30 licensing entity or the department of licensing receives a copy of the
31 written release specified in subsection (11) of this section. The
32 department of licensing and a licensing entity may waive any applicable
33 requirement for reissuance, renewal, or other extension if it
34 determines that the imposition of that requirement places an undue
35 burden on the person and that waiver of the requirement is consistent
36 with the public interest.

37 NEW SECTION. **Sec. 503.** A new section is added to chapter 74.20A
38 RCW to read as follows:

1 (1) The department of social and health services and all of the
2 various licensing entities subject to section 502 of this act shall
3 enter into such agreements as are necessary to carry out the
4 requirements of the license suspension program established in section
5 502 of this act, but only to the extent the departments and the
6 licensing entities determine it is cost-effective.

7 (2) On or before January 1, 1997, and quarterly thereafter, the
8 department of social and health services and all licensing entities
9 subject to section 502 of this act shall perform a comparison of
10 responsible parents who are not in compliance with a child support
11 order, as defined in section 502 of this act, with all licensees
12 subject to chapter . . . , Laws of 1996 (this act). The comparison may
13 be conducted electronically, or by any other means that is jointly
14 agreeable between the department and the particular licensing entity.
15 The data shared shall be limited to those items necessary to
16 implementation of chapter . . . , Laws of 1996 (this act). The purpose
17 of the comparison shall be to identify current licensees who are not in
18 compliance with a child support order, and to provide to the department
19 of social and health services the following information regarding those
20 licensees:

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

30 NEW SECTION. **Sec. 504.** A new section is added to chapter 74.20A
31 RCW to read as follows:

32 In furtherance of the public policy of increasing collection of
33 child support and to assist in evaluation of the program established in
34 section 502 of this act, the department shall report the following to
35 the legislature and the governor on December 1, 1997, and annually
36 thereafter:

- 37 (1) The number of responsible parents identified as licensees
38 subject to section 502 of this act;

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

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

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

7 (5) The number of adjudicative proceedings held, and the results of
8 the adjudicative proceedings;

9 (6) The number of responsible parents certified to the department
10 of licensing or licensing entities for noncompliance with a child
11 support order, and the type of license the parents held;

12 (7) The costs incurred in the implementation and enforcement of
13 section 502 of this act and an estimate of the amount of child support
14 collected due to the departments under section 502 of this act;

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

17 (9) Recommendations for the addition of specific licenses in the
18 program or exclusion of specific licenses from the program, and reasons
19 for such recommendations; and

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

22 **Sec. 505.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to
23 read as follows:

24 The department is authorized to suspend the license of a driver
25 upon a showing by its records or other sufficient evidence that the
26 licensee:

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

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

32 (3) Has been convicted of offenses against traffic regulations
33 governing the movement of vehicles, or found to have committed traffic
34 infractions, with such frequency as to indicate a disrespect for
35 traffic laws or a disregard for the safety of other persons on the
36 highways;

37 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
38 ((or))

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

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

7 (7) Has been certified by the department of social and health
8 services as a person who is not in compliance with a child support
9 order as provided in section 502 of this act.

10 **Sec. 506.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to
11 read as follows:

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

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

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

1 chemical test of the driver's blood alcohol content, the reissue fee
2 shall be fifty dollars.

3 NEW SECTION. **Sec. 507.** A new section is added to chapter 48.22
4 RCW to read as follows:

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

10 NEW SECTION. **Sec. 508.** A new section is added to chapter 2.48 RCW
11 to read as follows:

12 ATTORNEYS. Any member of the Washington state bar association who
13 has been certified by the department of social and health services as
14 a person who is not in compliance with a child support order as
15 provided in section 502 of this act shall be immediately suspended from
16 membership. Membership shall not be reinstated until the person
17 provides the Washington state bar association a written release issued
18 by the department of social and health services stating that the person
19 is in compliance with the order. If the person has continued to meet
20 all other requirements for membership during the suspension,
21 reinstatement shall be automatic upon receipt of the notice and payment
22 of any reinstatement fee the association may impose.

23 NEW SECTION. **Sec. 509.** A new section is added to chapter 18.04
24 RCW to read as follows:

25 ACCOUNTANTS. The board shall immediately suspend the certificate
26 or license of a person who has been certified pursuant to section 502
27 of this act by the department of social and health services as a person
28 who is not in compliance with a child support order.

29 **Sec. 510.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
30 read as follows:

31 ACCOUNTANTS. (1) Upon application in writing and after hearing
32 pursuant to notice, the board may:

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

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

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

11 NEW SECTION. Sec. 511. A new section is added to chapter 18.08
12 RCW to read as follows:

13 ARCHITECTS. The board shall immediately suspend the certificate of
14 registration or certificate of authorization to practice architecture
15 of a person who has been certified pursuant to section 502 of this act
16 by the department of social and health services as a person who is not
17 in compliance with a child support order. If the person has continued
18 to meet other requirements for reinstatement during the suspension,
19 reissuance of the certificate shall be automatic upon the board's
20 receipt of a written release issued by the department of social and
21 health services stating that the individual is in compliance with the
22 child support order.

23 **Sec. 512.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
24 read as follows:

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

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

36 (a) Misrepresentation or concealment of material facts in obtaining
37 a license;

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

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

5 (d) Misleading or false advertising;

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

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

10 (g) Nonpayment of an administrative fine prior to renewal of a
11 license;

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

14 (i) Any other violations of this chapter.

15 (3) The department shall immediately suspend the license of a
16 person who has been certified pursuant to section 502 of this act by
17 the department of social and health services as a person who is not in
18 compliance with a child support order. If the person has continued to
19 meet all other requirements for reinstatement during the suspension,
20 reissuance of the license shall be automatic upon the department's
21 receipt of a written release issued by the department of social and
22 health services stating that the licensee is in compliance with the
23 child support order.

24 NEW SECTION. Sec. 513. A new section is added to chapter 18.16
25 RCW to read as follows:

26 COSMETOLOGISTS, BARBERS, AND MANICURISTS. The department shall
27 immediately suspend the license of a person who has been certified
28 pursuant to section 502 of this act by the department of social and
29 health services as a person who is not in compliance with a child
30 support order. If the person has continued to meet all other
31 requirements for reinstatement during the suspension, reissuance of the
32 license shall be automatic upon the department's receipt of a written
33 release issued by the department of social and health services stating
34 that the licensee is in compliance with the child support order.

35 NEW SECTION. Sec. 514. A new section is added to chapter 18.20
36 RCW to read as follows:

1 BOARDING HOMES. The department shall immediately suspend the
2 license of a person who has been certified pursuant to section 502 of
3 this act by the department of social and health services as a person
4 who is not in compliance with a child support order. If the person has
5 continued to meet all other requirements for reinstatement during the
6 suspension, reissuance of the license shall be automatic upon the
7 department's receipt of a written release issued by the department of
8 social and health services stating that the licensee is in compliance
9 with the child support order.

10 **Sec. 515.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
11 amended to read as follows:

12 CONTRACTORS. (1) A certificate of registration shall be valid for
13 one year and shall be renewed on or before the expiration date. The
14 department shall issue to the applicant a certificate of registration
15 upon compliance with the registration requirements of this chapter.

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

19 (a) One year;

20 (b) Until the bond expires; or

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

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

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

31 (5) The department shall immediately suspend the certificate of
32 registration of a contractor who has been certified by the department
33 of social and health services as a person who is not in compliance with
34 a child support order as provided in section 502 of this act. The
35 certificate of registration shall not be reissued or renewed unless the
36 person provides to the department a written release from the department
37 of social and health services stating that he or she is in compliance

1 with the child support order and the person has continued to meet all
2 other requirements for certification during the suspension.

3 NEW SECTION. **Sec. 516.** A new section is added to chapter 18.28
4 RCW to read as follows:

5 DEBT ADJUSTERS. The department shall immediately suspend the
6 license of a person who has been certified pursuant to section 502 of
7 this act by the department of social and health services as a person
8 who is not in compliance with a child support order. If the person has
9 continued to meet all other requirements for reinstatement during the
10 suspension, reissuance of the license shall be automatic upon the
11 department's receipt of a written release issued by the department of
12 social and health services stating that the licensee is in compliance
13 with the child support order.

14 **Sec. 517.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
15 read as follows:

16 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the
17 following powers and duties:

- 18 (1) To issue all licenses provided for under this chapter;
19 (2) To annually renew licenses under this chapter;
20 (3) To collect all fees prescribed and required under this chapter;
21 ((and))
22 (4) To immediately suspend the license of a person who has been
23 certified pursuant to section 502 of this act by the department of
24 social and health services as a person who is not in compliance with a
25 child support order; and
26 (5) To keep general books of record of all official acts,
27 proceedings, and transactions of the department of licensing while
28 acting under this chapter.

29 NEW SECTION. **Sec. 518.** A new section is added to chapter 18.39
30 RCW to read as follows:

31 EMBALMERS AND FUNERAL DIRECTORS. In the case of suspension for
32 failure to comply with a child support order under chapter 74.20A RCW,
33 if the person has continued to meet all other requirements for
34 reinstatement during the suspension, reissuance of a license shall be
35 automatic upon the director's receipt of a written release issued by

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

3 NEW SECTION. **Sec. 519.** A new section is added to chapter 18.43
4 RCW to read as follows:

5 ENGINEERS AND LAND SURVEYORS. The board shall immediately suspend
6 the registration of a person who has been certified pursuant to section
7 502 of this act by the department of social and health services as a
8 person who is not in compliance with a child support order. If the
9 person has continued to meet all other requirements for membership
10 during the suspension, reissuance of the registration shall be
11 automatic upon the board's receipt of a written release issued by the
12 department of social and health services stating that the person is in
13 compliance with the child support order.

14 NEW SECTION. **Sec. 520.** A new section is added to chapter 18.44
15 RCW to read as follows:

16 ESCROW AGENTS. The department shall immediately suspend the
17 certificate of registration of a person who has been certified pursuant
18 to section 502 of this act by the department of social and health
19 services as a person who is not in compliance with a child support
20 order. If the person has continued to meet all other requirements for
21 certification during the suspension, reissuance of the certificate
22 shall be automatic upon the department's receipt of a written release
23 issued by the department of social and health services stating that the
24 person is in compliance with the child support order.

25 **Sec. 521.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to
26 read as follows:

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

31 The department shall immediately suspend the license of a person
32 who has been certified pursuant to section 502 of this act by the
33 department of social and health services as a person who is not in
34 compliance with a child support order. If the person has continued to
35 meet all other requirements for reinstatement during the suspension,
36 reissuance of the license shall be automatic upon the department's

1 receipt of a written release issued by the department of social and
2 health services stating that the person is in compliance with the child
3 support order.

4 RCW 43.70.115 governs notice of a license denial, revocation,
5 suspension, or modification and provides the right to an adjudicative
6 proceeding.

7 NEW SECTION. Sec. 522. A new section is added to chapter 18.51
8 RCW to read as follows:

9 NURSING HOME OPERATORS. The department shall immediately suspend
10 the license of a person who has been certified pursuant to section 502
11 of this act by the department of social and health services, division
12 of child support, as a person who is not in compliance with a child
13 support order. If the person has continued to meet all other
14 requirements for reinstatement during the suspension, reissuance of the
15 license shall be automatic upon the department's receipt of a written
16 release issued by the division of child support stating that the person
17 is in compliance with the child support order.

18 NEW SECTION. Sec. 523. A new section is added to chapter 18.76
19 RCW to read as follows:

20 POISON CENTER MEDICAL DIRECTOR/POISON INFORMATION SPECIALISTS. The
21 department shall immediately suspend the certification of a poison
22 center medical director or a poison information specialist who has been
23 certified pursuant to section 502 of this act by the department of
24 social and health services as a person who is not in compliance with a
25 child support order. If the person has continued to meet all other
26 requirements for certification during the suspension, reissuance of the
27 certification shall be automatic upon the department's receipt of a
28 written release issued by the department of social and health services
29 stating that the person is in compliance with the child support order.

30 NEW SECTION. Sec. 524. A new section is added to chapter 18.85
31 RCW to read as follows:

32 REAL ESTATE BROKERS AND SALESPERSONS. The director shall
33 immediately suspend the license of a broker or salesperson who has been
34 certified pursuant to section 502 of this act by the department of
35 social and health services as a person who is not in compliance with a
36 child support order. If the person has continued to meet all other

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

5 **Sec. 525.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
6 to read as follows:

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

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

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

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

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

22 (2) The director shall immediately suspend the certificate of
23 registration of a landscape architect who has been certified pursuant
24 to section 502 of this act by the department of social and health
25 services as a person who is not in compliance with a child support
26 order. If the person has continued to meet all other requirements for
27 certification during the suspension, reissuance of the certificate of
28 registration shall be automatic upon the director's receipt of a
29 written release issued by the department of social and health services
30 stating that the person is in compliance with the child support order.

31 **Sec. 526.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
32 read as follows:

33 WATER WELL CONSTRUCTION. (1) In cases other than those relating to
34 the failure of a licensee to renew a license, the director may suspend
35 or revoke a license issued pursuant to this chapter for any of the
36 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 502 of this act by the department of social and health
9 services as a person who is not in compliance with a child support
10 order. If 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 written release issued by
13 the department of social and health services stating that the person is
14 in compliance with the child support order.

15 (3) No license shall be suspended for more than six months, except
16 that a suspension under section 502 of this act shall continue until
17 the department receives a written release issued by the department of
18 social and health services stating that the person is in compliance
19 with the 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 NEW SECTION. Sec. 527. A new section is added to chapter 18.106
24 RCW to read as follows:

25 PLUMBERS. The department shall immediately suspend any certificate
26 of competency issued under this chapter if the holder of the
27 certificate has been certified pursuant to section 502 of this act by
28 the department of social and health services as a person who is not in
29 compliance with a child support order. If the person has continued to
30 meet all other requirements for certification during the suspension,
31 reissuance of the certificate of competency shall be automatic upon the
32 department's receipt of a written release issued by the department of
33 social and health services stating that the person is in compliance
34 with the child support order.

35 NEW SECTION. Sec. 528. A new section is added to chapter 18.130
36 RCW to read as follows:

1 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
2 authority shall immediately suspend the license of any person subject
3 to this chapter who has been certified by the department of social and
4 health services as a person who is not in compliance with a child
5 support order as provided in section 502 of this act.

6 **Sec. 529.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
7 read as follows:

8 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
9 authority has the following authority:

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

12 (2) To investigate all complaints or reports of unprofessional
13 conduct as defined in this chapter and to hold hearings as provided in
14 this chapter;

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

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

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

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

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

26 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
27 or the office of administrative hearings as authorized in chapter 34.12
28 RCW to conduct hearings. The disciplining authority shall make the
29 final decision regarding disposition of the license unless the
30 disciplining authority elects to delegate in writing the final decision
31 to the presiding officer;

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

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

37 (11) To contract with licensees or other persons or organizations
38 to provide services necessary for the monitoring and supervision of

1 licensees who are placed on probation, whose professional activities
2 are restricted, or who are for any authorized purpose subject to
3 monitoring by the disciplining authority;

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

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

9 (14) To designate individuals authorized to sign subpoenas and
10 statements of charges;

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

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

22 (17) To immediately suspend licenses of persons who have been
23 certified by the department of social and health services as not in
24 compliance with a child support order as provided in section 502 of
25 this act.

26 **Sec. 530.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
27 read as follows:

28 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. A person whose
29 license has been suspended or revoked under this chapter may petition
30 the disciplining authority for reinstatement after an interval as
31 determined by the disciplining authority in the order. The
32 disciplining authority shall hold hearings on the petition and may deny
33 the petition or may order reinstatement and impose terms and conditions
34 as provided in RCW 18.130.160 and issue an order of reinstatement. The
35 disciplining authority may require successful completion of an
36 examination as a condition of reinstatement.

37 A person whose license has been suspended for noncompliance with a
38 child support order under section 502 of this act may petition for

1 reinstatement at any time by providing the disciplining authority a
2 written release issued by the department of social and health services
3 stating that the person is in compliance with the child support order.
4 If the person has continued to meet all other requirements for
5 reinstatement during the suspension, the disciplining authority shall
6 automatically reissue the person's license upon receipt of the release,
7 and payment of a reinstatement fee, if any.

8 NEW SECTION. Sec. 531. A new section is added to chapter 18.140
9 RCW to read as follows:

10 CERTIFIED REAL ESTATE APPRAISERS. The department shall immediately
11 suspend any license or certificate issued under this chapter if the
12 holder has been certified pursuant to section 502 of this act by the
13 department of social and health services as a person who is not in
14 compliance with a child support order. If the person has continued to
15 meet all other requirements for reinstatement during the suspension,
16 reissuance of the license or certificate shall be automatic upon the
17 department's receipt of a written release issued by the department of
18 social and health services stating that the person is in compliance
19 with the child support order.

20 NEW SECTION. Sec. 532. A new section is added to chapter 18.145
21 RCW to read as follows:

22 SHORTHAND REPORTERS. The director shall immediately suspend any
23 certificate issued under this chapter if the holder has been certified
24 pursuant to section 502 of this act by the department of social and
25 health services as a person who is not in compliance with a child
26 support order. If the person has continued to meet all other
27 requirements for certification during the suspension, reissuance of the
28 certificate shall be automatic upon the director's receipt of a written
29 release issued by the department of social and health services stating
30 that the person is in compliance with the child support order.

31 **Sec. 533.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
32 read as follows:

33 FIRE SPRINKLER SYSTEM CONTRACTORS. (1) The state director of fire
34 protection may refuse to issue or renew or may suspend or revoke the
35 privilege of a licensed fire protection sprinkler system contractor or
36 the certificate of a certificate of competency holder to engage in the

1 fire protection sprinkler system business or in lieu thereof, establish
2 penalties as prescribed by Washington state law, for any of the
3 following reasons:

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

7 (b) Conviction of a felony;

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

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

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

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

18 (2) The state director of fire protection shall revoke the license
19 of a licensed fire protection sprinkler system contractor or the
20 certificate of a certificate of competency holder who engages in the
21 fire protection sprinkler system business while the license or
22 certificate of competency is suspended.

23 (3) The state director of fire protection shall immediately suspend
24 any license or certificate issued under this chapter if the holder has
25 been certified pursuant to section 502 of this act by the department of
26 social and health services as a person who is not in compliance with a
27 child support order. If the person has continued to meet all other
28 requirements for reinstatement during the suspension, reissuance of the
29 license or certificate shall be automatic upon the director's receipt
30 of a written release issued by the department of social and health
31 services stating that the person is in compliance with the child
32 support order.

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

37 **NEW SECTION. Sec. 534.** A new section is added to chapter 18.165
38 RCW to read as follows:

1 PRIVATE DETECTIVES. The department shall immediately suspend a
2 license issued under this chapter if the holder has been certified
3 pursuant to section 502 of this act by the department of social and
4 health services as a person who is not in compliance with a child
5 support order. If the person has continued to meet all other
6 requirements for reinstatement during the suspension, reissuance of the
7 license shall be automatic upon the department's receipt of a written
8 release issued by the department of social and health services stating
9 that the person is in compliance with the child support order.

10 NEW SECTION. **Sec. 535.** A new section is added to chapter 18.170
11 RCW to read as follows:

12 SECURITY GUARDS. The director shall immediately suspend any
13 license issued under this chapter if the holder has been certified
14 pursuant to section 502 of this act by the department of social and
15 health services as a person who is not in compliance with a child
16 support order. If the person has continued to meet all other
17 requirements for reinstatement during the suspension, reissuance of the
18 license shall be automatic upon the director's receipt of a written
19 release issued by the department of social and health services stating
20 that the person is in compliance with the child support order.

21 NEW SECTION. **Sec. 536.** A new section is added to chapter 18.175
22 RCW to read as follows:

23 ATHLETE AGENTS. The director shall immediately suspend a
24 certificate of registration issued under this chapter if the holder has
25 been certified pursuant to section 502 of this act by the department of
26 social and health services as a person who is not in compliance with a
27 child support order. If the person has continued to meet all other
28 requirements for certification during the suspension, reissuance of the
29 certificate shall be automatic upon the director's receipt of a written
30 release issued by the department of social and health services stating
31 that the person is in compliance with the child support order.

32 NEW SECTION. **Sec. 537.** A new section is added to chapter 18.185
33 RCW to read as follows:

34 BAIL BOND AGENTS. The director shall immediately suspend any
35 license issued under this chapter if the holder has been certified
36 pursuant to section 502 of this act by the department of social and

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

7 **Sec. 538.** 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 child 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 child
2 support order under chapter 74.20A RCW, a license applicant or licensee
3 who is 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 **Sec. 539.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to
29 read as follows:

30 This section governs the denial of an application for a license or
31 the suspension, revocation, or modification of a license by the
32 department. This section does not govern actions taken under chapter
33 18.130 RCW.

34 (1) The department shall give written notice of the denial of an
35 application for a license to the applicant or his or her agent. The
36 department shall give written notice of revocation, suspension, or
37 modification of a license to the licensee or his or her agent. The
38 notice shall state the reasons for the action. The notice shall be

1 personally served in the manner of service of a summons in a civil
2 action or shall be given in ((~~an other~~ [~~another~~])) another manner that
3 shows proof of receipt.

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

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

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

17 (c) When the department has received certification pursuant to
18 chapter 74.20A RCW from the department of social and health services
19 that the licensee is a person who is not in compliance with a child
20 support order, the department shall provide that the suspension is
21 effective immediately upon receipt of the suspension notice by the
22 licensee.

23 (3) Except for licensees suspended for noncompliance with a child
24 support order under chapter 74.20A RCW, a license applicant or licensee
25 who is aggrieved by a department denial, revocation, suspension, or
26 modification has the right to an adjudicative proceeding. The
27 proceeding is governed by the Administrative Procedure Act, chapter
28 34.05 RCW. The application must be in writing, state the basis for
29 contesting the adverse action, include a copy of the adverse notice, be
30 served on and received by the department within twenty-eight days of
31 the license applicant's or licensee's receiving the adverse notice, and
32 be served in a manner that shows proof of receipt.

33 (4)(a) If the department gives a licensee twenty-eight or more days
34 notice of revocation, suspension, or modification and the licensee
35 files an appeal before its effective date, the department shall not
36 implement the adverse action until the final order has been entered.
37 The presiding or reviewing officer may permit the department to
38 implement part or all of the adverse action while the proceedings are
39 pending if the appellant causes an unreasonable delay in the

1 proceeding, if the circumstances change so that implementation is in
2 the public interest, or for other good cause.

3 (b) If the department gives a licensee less than twenty-eight days
4 notice of revocation, suspension, or modification and the licensee
5 timely files a sufficient appeal, the department may implement the
6 adverse action on the effective date stated in the notice. The
7 presiding or reviewing officer may order the department to stay
8 implementation of part or all of the adverse action while the
9 proceedings are pending if staying implementation is in the public
10 interest or for other good cause.

11 **B. PARENTAL RESPONSIBILITY ENFORCEMENT PROGRAM**

12 NEW SECTION. **Sec. 540.** A new section is added to chapter 26.18
13 RCW to read as follows:

14 (1) If an obligor fails to comply with an order of support, the
15 court shall order the obligor to:

16 (a) Arrange a payment schedule and maintain support payments;

17 (b) Participate in community service work at a minimum of one
18 hundred hours per month; or

19 (c) Imprisonment for the crime of family nonsupport under RCW
20 26.20.035.

21 (2) Persons ordered to comply with subsection (1) (b) or (c) of
22 this section shall have their names and the fact of their failure to
23 comply with an order of support published in a newspaper of general
24 circulation in the county in which the court order is obtained under
25 this section.

26 (3) Obligors who fail to pay child support in an amount equal to or
27 greater than one year's aid to families with dependent children grant
28 assistance for a family of three may be selected by the department for
29 child support enforcement publicity purposes. The department may
30 publish and distribute picture posters of such obligors, identifying
31 them by name, and indicating the amount of child support owed and the
32 amount in arrears.

33 NEW SECTION. **Sec. 541.** A new section is added to chapter 26.20
34 RCW to read as follows:

35 A person is guilty of predatory nonsupport if:

1 (1) He or she is determined to be a parent for a second time under
2 chapter 26.26 RCW;

3 (2) The second or subsequent child is receiving public assistance
4 under chapter 74.04, 74.09 or 74.12 RCW;

5 (3) He or she fails to pay an obligation of support ordered under
6 Title 26 RCW or chapter 74.04, 74.20 or 74.20A RCW; and

7 (4) The second or subsequent child's other natural parent was, at
8 the time of conception, under the age of eighteen.

9 A violation of this section is a gross misdemeanor. Any subsequent
10 violation of this section by a person previously convicted of a
11 violation of this section is a class C felony under chapter 9A.20 RCW.

12 **Sec. 542.** RCW 26.16.205 and 1990 1st ex.s. c 2 s 13 are each
13 amended to read as follows:

14 The expenses of the family and the education of the children,
15 including stepchildren and any child of whom their minor child is a
16 biological parent, are chargeable upon the property of both husband and
17 wife, or either of them, and they may be sued jointly or separately.
18 When a petition for dissolution of marriage or a petition for legal
19 separation is filed, the court may, upon motion of the stepparent,
20 terminate the obligation to support the stepchildren or children of the
21 stepchildren. The obligation to support stepchildren and children of
22 stepchildren shall cease upon the entry of a decree of dissolution,
23 decree of legal separation, or death. The obligation of a husband and
24 wife to support a child of their minor child terminates when their
25 minor child reaches eighteen years of age, however, a stepparent's
26 support obligation may be terminated earlier as provided for in this
27 section.

28 **Sec. 543.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each
29 amended to read as follows:

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

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

35 (2) "Secretary" means the secretary of the department of social and
36 health services, his designee or authorized 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) "Child support order" means a superior court order or an
10 administrative order.

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

20 (~~(+6)~~) (7) "Administrative order" means any determination,
21 finding, decree, or order for support pursuant to RCW 74.20A.055, or by
22 an agency of another state pursuant to a substantially similar
23 administrative process, establishing the existence of a support
24 obligation and ordering the payment of a set or determinable amount of
25 support moneys to satisfy the support obligation.

26 (~~(+7)~~) (8) "Responsible parent" means a natural parent, adoptive
27 parent, or stepparent of a dependent child or a person who has signed
28 an affidavit acknowledging paternity which has been filed with the
29 state office of vital statistics and includes the parent of an
30 unmarried minor with a child.

31 (~~(+8)~~) (9) "Stepparent" means the present spouse of the person who
32 is either the mother, father, or adoptive parent of a dependent child,
33 and such status shall exist until terminated as provided for in RCW
34 26.16.205.

35 (~~(+9)~~) (10) "Support moneys" means any moneys or in-kind
36 providings paid to satisfy a support obligation whether denominated as
37 child support, spouse support, alimony, maintenance, or any other such
38 moneys intended to satisfy an obligation for support of any person or

1 satisfaction in whole or in part of arrears or delinquency on such an
2 obligation.

3 ~~((10))~~ (11) "Support debt" means any delinquent amount of support
4 moneys which is due, owing, and unpaid under a superior court order or
5 an administrative order, a debt for the payment of expenses for the
6 reasonable or necessary care, support, and maintenance, including
7 medical expenses, of a dependent child or other person for whom a
8 support obligation is owed; or a debt under RCW 74.20A.100 or
9 74.20A.270. Support debt also includes any accrued interest, fees, or
10 penalties charged on a support debt, and attorneys fees and other costs
11 of litigation awarded in an action to establish and enforce a support
12 obligation or debt.

13 ~~((11))~~ (12) "State" means any state or political subdivision,
14 territory, or possession of the United States, the District of
15 Columbia, and the Commonwealth of Puerto Rico.

16 NEW SECTION. Sec. 544. A new section is added to chapter 74.12
17 RCW to read as follows:

18 The parents of an unmarried minor who has a child are responsible
19 for the support of the minor and child. The unmarried minor and the
20 minor's child shall be considered to be part of the household of the
21 minor's parents or parent for purposes of determining eligibility for
22 aid to families with dependent children; and as such, the income and
23 resources of the entire household are considered to be available to
24 support the unmarried minor and his or her child.

25 Sec. 545. RCW 13.34.160 and 1993 c 358 s 2 are each amended to
26 read as follows:

27 (1) In an action brought under this chapter, the court may inquire
28 into the ability of the parent or parents of the child to pay child
29 support and may enter an order of child support as set forth in chapter
30 26.19 RCW. The court may enforce the same by execution, or in any way
31 in which a court of equity may enforce its decrees. All child support
32 orders entered pursuant to this chapter shall be in compliance with the
33 provisions of RCW 26.23.050.

34 (2) For purposes of this section, if a dependent child's parent is
35 an unmarried minor, then the parent or parents of the minor shall also
36 be deemed a parent or parents of the dependent child. However,
37 liability for child support under this subsection only exists if the

1 parent or parents of the unmarried minor parent are provided the
2 opportunity for a hearing on their ability to provide support. Any
3 child support order requiring such a parent or parents to provide
4 support for the minor parent's child may be effective only until the
5 minor parent reaches eighteen years of age.

6 **C. CHILD CARE ZONING**

7 NEW SECTION. Sec. 546. A new section is added to chapter 36.70
8 RCW to read as follows:

9 No county may enact, enforce, or maintain an ordinance, development
10 regulation, zoning regulation, or official control, policy, or
11 administrative practice which prohibits the use of a residential
12 dwelling, located in an area zoned for residential or commercial use,
13 as a family day-care provider's home facility.

14 A county may require that the facility: (1) Comply with all
15 building, fire, safety, health code, and business licensing
16 requirements; (2) conform to lot size, building size, setbacks, and lot
17 coverage standards applicable to the zoning district except if the
18 structure is a legal nonconforming structure; (3) is certified by the
19 state office of child care policy licenser as providing a safe
20 passenger loading area; (4) include signage, if any, that conforms to
21 applicable regulations; and (5) limit hours of operations to facilitate
22 neighborhood compatibility, while also providing appropriate
23 opportunity for persons who use family day-care and who work a
24 nonstandard work shift.

25 A county may also require that the family day-care provider, before
26 state licensing, require proof of written notification by the provider
27 that the immediately adjoining property owners have been informed of
28 the intent to locate and maintain such a facility. If a dispute arises
29 between neighbors and the family day-care provider over licensing
30 requirements, the licenser may provide a forum to resolve the dispute.

31 Nothing in this section shall be construed to prohibit a county
32 from imposing zoning conditions on the establishment and maintenance of
33 a family day-care provider's home in an area zoned for residential or
34 commercial use, so long as such conditions are no more restrictive than
35 conditions imposed on other residential dwellings in the same zone and
36 the establishment of such facilities is not precluded. As used in this
37 section, "family day-care provider" is as defined in RCW 74.15.020.

1 **Sec. 547.** RCW 36.70A.450 and 1995 c 49 s 3 are each amended to
2 read as follows:

3 No city or county that plans or elects to plan under this chapter
4 may enact, enforce, or maintain an ordinance, development regulation,
5 zoning regulation, or official control, policy, or administrative
6 practice which prohibits the use of a residential dwelling, located in
7 an area zoned for residential or commercial use, as a family day-care
8 provider's home facility.

9 A city or county may require that the facility: (1) Comply with
10 all building, fire, safety, health code, and business licensing
11 requirements; (2) conform to lot size, building size, setbacks, and lot
12 coverage standards applicable to the zoning district except if the
13 structure is a legal nonconforming structure; (3) is certified by the
14 (~~office of child care policy licensor~~) department of social and
15 health services as providing a safe passenger loading area; (4) include
16 signage, if any, that conforms to applicable regulations; and (5) limit
17 hours of operations to facilitate neighborhood compatibility, while
18 also providing appropriate opportunity for persons who use family
19 day-care and who work a nonstandard work shift.

20 A city or county may also require that the family day-care
21 provider, before state licensing, require proof of written notification
22 by the provider that the immediately adjoining property owners have
23 been informed of the intent to locate and maintain such a facility. If
24 a dispute arises between neighbors and the family day-care provider
25 over licensing requirements, the licensor may provide a forum to
26 resolve the dispute.

27 Nothing in this section shall be construed to prohibit a city or
28 county that plans or elects to plan under this chapter from imposing
29 zoning conditions on the establishment and maintenance of a family day-
30 care provider's home in an area zoned for residential or commercial
31 use, so long as such conditions are no more restrictive than conditions
32 imposed on other residential dwellings in the same zone and the
33 establishment of such facilities is not precluded. As used in this
34 section, "family day-care provider" is as defined in RCW 74.15.020.

35 NEW SECTION. **Sec. 548.** A new section is added to chapter 74.15
36 RCW to read as follows:

37 (1) A family day-care provider's home shall be a permitted use in
38 all areas zoned for residential or commercial purposes, including areas

1 zoned for single-family dwellings. No town, city, or county shall
2 enact or enforce zoning ordinances prohibiting the use of a residential
3 dwelling, located in an area zoned for residential or commercial use,
4 as a family day-care provider's home facility.

5 (2) A town, city, or county may impose zoning conditions on the
6 establishment and maintenance of a family day-care provider's home in
7 an area zoned for residential or commercial use, provided that such
8 conditions are no more restrictive than conditions imposed on other
9 residential dwellings in the same zone.

10 **PART VI. WELFARE-TO-WORK EFFECTIVENESS STUDIES**

11 NEW SECTION. **Sec. 601.** A new section is added to chapter 44.28
12 RCW to read as follows:

13 WELFARE-TO-WORK PROGRAMS STUDY. (1) The legislative budget
14 committee shall conduct an evaluation of the effectiveness of the
15 welfare-to-work programs described in chapter . . . , Laws of 1996 (this
16 act), including the job opportunities and basic skills training
17 program, the tax incentive program, and any approved private, county,
18 or local government welfare-to-work programs. The evaluation shall
19 assess the success of the programs in assisting clients to become
20 employed and to reduce their use of aid to families with dependent
21 children. The study shall include but not be limited to the following:

22 (a) A random assignment of clients to public agencies and private
23 contractors to assess the effectiveness of program services provided by
24 public and private contractors;

25 (b) An assessment of employment outcomes, including hourly wages,
26 hours worked, and total earnings, for clients;

27 (c) A comparison of aid to families with dependent children
28 outcomes, including grant amounts and program exits, for clients;

29 (d) A cost-benefit analysis of the use of public and private
30 contractors;

31 (e) An audit of the performance-based contract for each private
32 nonprofit contractor for job opportunities and basic skills training
33 program services; and

34 (f) An assessment of the extent to which recipients who are heads
35 of households may be affected by a learning disability that prevents
36 high school completion or impairs employability. For the purposes of
37 this study, "learning disabilities" are defined as a disorder in one or

1 more of the basic psychological processes involved in understanding or
2 using spoken or written language that prevents the person from
3 achieving commensurate with his or her age and ability levels in one or
4 more of the areas listed in this subsection, when provided with
5 appropriate learning or training experiences. Such disorder may
6 include problems in visual or auditory perception and integration and
7 may manifest itself in an impaired ability to listen, think, speak or
8 communicate clearly, read with comprehension, write legibly and with
9 meaning, spell, and accurately perform mathematical calculations,
10 including those involving reading. The presence of a specific learning
11 disability is indicated by intellectual function above that specified
12 by the Washington administrative code for special education for
13 eligibility as mentally retarded and by a severe discrepancy between
14 the person's intellectual ability and academic or career achievement in
15 one or more of the following areas:

- 16 (i) Oral expression;
- 17 (ii) Listening comprehension;
- 18 (iii) Written expression;
- 19 (iv) Basic reading skills;
- 20 (v) Reading comprehension;
- 21 (vi) Mathematics calculations; and
- 22 (vii) Mathematics reasoning.

23 Such performance deficit cannot be explained by visual, or hearing, or
24 motor disabilities, mental retardation, behavioral disability or
25 environmental, cultural, or economic disadvantage. A specific learning
26 disability includes conditions described as perceptual disabilities,
27 brain injury, minimal brain dysfunction, dyslexia, dysgraphia, and
28 developmental aphasia.

29 (2) Administrative data shall be provided by the department of
30 social and health services, the employment security department, the
31 state board for community and technical colleges, and local government
32 providers, and private contractors. The department of social and
33 health services shall require contractors to provide administrative and
34 outcome data needed for this study.

35 (3) Additional data may be collected directly from clients if not
36 available from administrative records.

37 (4) The legislative budget committee shall report its findings to
38 the governor and the appropriate standing committees of the legislature

1 by October 30, 1999, and shall provide annual reports thereafter until
2 October 30, 2002.

3 NEW SECTION. **Sec. 602.** A new section is added to chapter 44.28
4 RCW to read as follows:

5 TIME LIMIT OUTCOME STUDY. The legislative budget committee shall
6 conduct an evaluation of the effects of time limits on recipients of
7 aid to families with dependent children grant assistance, both
8 generally and in Washington state. The legislative budget committee,
9 in consultation with the Washington institute for public policy, shall
10 work in consultation and cooperation with a focus group comprised of
11 the welfare policy committee described in section 603 of this act, as
12 well as representatives from the governor's office, and other
13 interested parties. The focus group shall begin meeting with the
14 legislative budget committee no later than January 1997, and
15 periodically thereafter as needed. The study shall include, but not be
16 limited to, reports to the legislature regarding the following:

17 (1) By December 1997, a summary of data and preliminary evaluations
18 of the effects of time limits in a sampling of at least five other
19 jurisdictions in which two-year time limits were enacted and in effect
20 by 1995. This summary shall include publicly available governmental
21 and scholarly reports and evaluations regarding the effects of time
22 limits, from government agencies, universities, and public policy
23 institutes.

24 (2) By December 1998, a detailed, updated summary of the effects of
25 time limits on the aid to families with dependent children population
26 in a state identified in subsection (1) of this section as having
27 families for which the time limits have run and for which outcome data
28 is available.

29 (3) By December 1999, and annually through December 2003, an
30 updated summary of the other jurisdictions being tracked in subsections
31 (1) and (2) of this section and an evaluation of the preliminary and
32 subsequent effects of Washington state time limits on Washington state
33 aid to families with dependent children recipients. The Washington
34 state study shall include: A cost-benefit analysis of the effect of
35 time limits on caseloads for aid to families with dependent children,
36 cross-comparing caseload reductions, if any, in aid to families with
37 dependent children with caseload increases, if any, in the foster care
38 and child protective services caseloads. The Washington study shall

1 focus on the outcomes to families whose benefits are decreased or
2 discontinued as a direct result of time limits, including information
3 regarding relative changes in their income status, changes in
4 residence, and the extent to which their family resources may be
5 supplemented by private, nonprofit, religious, or charitable
6 organizations.

7 NEW SECTION. **Sec. 603.** A new section is added to chapter 74.04
8 RCW to read as follows:

9 WELFARE POLICY COMMITTEE. Beginning no later than January 1999,
10 the welfare policy committee shall convene to consider the study
11 specified in section 602 of this act. The welfare policy committee
12 shall consist of two members of the senate, one from each party, two
13 members of the house, one from each party, and two representatives from
14 service or charitable organizations, appointed by the governor. The
15 welfare policy committee shall make any legislative recommendations it
16 may choose to the legislature by December 2000, and annually each
17 December thereafter until 2003, in the form of proposed legislation.
18 Such proposed legislation shall contain revisions to state law
19 regarding aid to families with dependent children. The goal of the
20 revisions shall be to promote independence from welfare, while
21 minimizing any adverse effect of time limits on children in poverty.
22 In December 2005, the welfare policy committee shall terminate.

23 **PART VII. MISCELLANEOUS**

24 NEW SECTION. **Sec. 701.** A new section is added to chapter 74.13
25 RCW to read as follows:

26 (1) The department shall operate an employment child care program
27 for low-income working parents who are not receiving aid to families
28 with dependent children.

29 (2) Families with gross income at or below thirty-eight percent of
30 state median income adjusted for family size are eligible for
31 employment child care subsidies with a minimum copayment. Families
32 with gross income above thirty-eight percent and at or below fifty-two
33 percent of the state median income adjusted for family size are
34 eligible for an employment child care subsidy with a calculated
35 copayment.

1 (3) The department shall provide a priority for recent recipients
2 of aid to families with dependent children who are within twelve weeks
3 of losing their transitional child care benefits.

4 (4) The department shall provide employment child care subsidies
5 for families meeting eligibility standards under this section, within
6 funds appropriated by the legislature for this purpose.

7 NEW SECTION. **Sec. 702.** A new section is added to chapter 74.04
8 RCW to read as follows:

9 The department of social and health services shall provide
10 assistance under the general assistance to children program to needy
11 families with legal immigrants permanently residing in the United
12 States under color of law who are not eligible for aid to families with
13 dependent children benefits solely due to their immigration status.
14 Assistance to needy families shall be in the same amount as benefits
15 under the aid to families with dependent children program. The
16 families must be otherwise eligible for aid to families with dependent
17 children, including consideration of the income of the immigrant's
18 sponsor.

19 NEW SECTION. **Sec. 703.** The following acts or parts of acts are
20 each repealed:

21 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st ex.
22 s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,
23 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;

24 (2) RCW 74.08.125 and 1993 c 22 s 1 & 1992 c 108 s 3;

25 (3) RCW 74.12.420 and 1994 c 299 s 9; and

26 (4) RCW 74.12.425 and 1994 c 299 s 10.

27 NEW SECTION. **Sec. 704.** Part headings, captions, and the table of
28 contents used in this act do not constitute any part of the law.

29 NEW SECTION. **Sec. 705.** Sections 203 through 205 of this act shall
30 constitute a new chapter in Title 82 RCW.

31 NEW SECTION. **Sec. 706.** Sections 206 through 208 of this act shall
32 constitute a new chapter in Title 74 RCW.

1 RCW; adding a new section to chapter 18.28 RCW; adding a new section to
2 chapter 18.39 RCW; adding a new section to chapter 18.43 RCW; adding a
3 new section to chapter 18.44 RCW; adding a new section to chapter 18.51
4 RCW; adding a new section to chapter 18.76 RCW; adding a new section to
5 chapter 18.85 RCW; adding a new section to chapter 18.106 RCW; adding
6 a new section to chapter 18.130 RCW; adding a new section to chapter
7 18.140 RCW; adding a new section to chapter 18.145 RCW; adding a new
8 section to chapter 18.165 RCW; adding a new section to chapter 18.170
9 RCW; adding a new section to chapter 18.175 RCW; adding a new section
10 to chapter 18.185 RCW; adding a new section to chapter 26.18 RCW;
11 adding a new section to chapter 26.20 RCW; adding a new section to
12 chapter 36.70 RCW; adding a new section to chapter 74.15 RCW; adding
13 new sections to chapter 44.28 RCW; adding new sections to chapter 74.04
14 RCW; adding a new section to chapter 74.13 RCW; adding a new chapter to
15 Title 82 RCW; adding a new chapter to Title 74 RCW; creating new
16 sections; repealing RCW 74.08.120, 74.08.125, 74.12.420, and 74.12.425;
17 prescribing penalties; and providing an effective date."

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