

2 **ESSB 5375** - S AMD - 440

3 By Senators Wojahn, Fairley, Kohl, Quigley, Drew, McAuliffe,  
4 Spanel, Franklin, Wood, Prentice, Haugen, Deccio, McCaslin,  
5 Oke and Snyder

6

7 Strike everything after the enacting clause and insert the  
8 following:

9 "NEW SECTION. **Sec. 1.** The legislature recognizes that the current  
10 statutory procedures for the collection of child support do not apply  
11 to all persons owing child support. In order to further insure that  
12 child support obligations are met, this act establishes a program by  
13 which certain licenses may be suspended if a person is one hundred  
14 eighty days or more in arrears on child support payments. With this  
15 program, it is the intent of the legislature to provide a strong  
16 incentive for persons owing support to make timely payments, and to  
17 cooperate with the department of social and health services to  
18 establish an appropriate schedule for the payment of any arrears.

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

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.20A RCW  
31 to read as follows:

32 (1) As used in this section, unless the context indicates  
33 otherwise, the following terms have the following meanings.

34 (a) "Licensing entity" includes any department, board, commission,  
35 or other organization of the state authorized by Title 18 RCW to issue,  
36 renew, suspend, or revoke a license authorizing an individual to engage

1 in a business, occupation, profession, or industry, and the Washington  
2 state bar association.

3 (b) "Noncompliance with a child support order" means a responsible  
4 parent has:

5 (i) Accumulated arrears totaling more than six months of child  
6 support payments;

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

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

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

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

21 (2) The department may serve upon a responsible parent a notice  
22 informing the responsible parent of the department's intent to submit  
23 the parent's name to the department of licensing and any appropriate  
24 licensing entity as a licensee who is not in compliance with a child  
25 support order except as provided in subsection (3) of this section.  
26 The department shall attach a copy of the responsible parent's child  
27 support order to the notice. Service of the notice must be made by  
28 certified mail, return receipt requested, or by personal service.

29 (3) The department shall not issue a notice of noncompliance with  
30 a child support order under this section when the department can  
31 withhold the responsible parent's earnings under RCW 26.23.060 in an  
32 amount sufficient to ensure the payment of current support and a  
33 reasonable amount towards arrears.

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

37 (a) The parent may request an adjudicative proceeding to contest  
38 the issue of compliance. The only issues that may be considered at the  
39 adjudicative proceeding are whether the parent is required to pay child

1 support under a child support order and whether the parent is in  
2 compliance with that order;

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

6 (c) If the parent requests an adjudicative proceeding within twenty  
7 days of service, the department will stay action to certify the parent  
8 to the department of licensing and any licensing entity for  
9 noncompliance with a child support order pending entry of a written  
10 decision after the adjudicative proceeding;

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

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

25 (f) If the department certifies the responsible parent to the  
26 department of licensing and a licensing entity for noncompliance with  
27 a child support order, the licensing entity will suspend the parent's  
28 license and the department of licensing will suspend any driver's  
29 license that the parent holds until the parent provides the department  
30 of licensing and the licensing entity with a written release from the  
31 department stating that the responsible parent is in compliance with  
32 the child support order;

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

36 (h) If after receiving the notice of noncompliance with a child  
37 support order, the responsible parent files a motion to modify support  
38 with the court or requests the department to amend a support obligation  
39 established by an administrative decision, the department or the court

1 may, for up to one hundred eighty days, stay action to certify the  
2 parent to the department of licensing and any licensing entity for  
3 noncompliance with a child support order. If a motion for modification  
4 of a court or administrative order for child support is pending prior  
5 to service of the notice, any action to certify the parent to a  
6 licensing entity for noncompliance with a child support order shall be  
7 automatically stayed until entry of a final order or decision in the  
8 modification proceedings. The responsible parent has the obligation to  
9 notify the department that a modification proceeding is pending and  
10 provide a copy of the motion or request for modification; and

11 (i) If the responsible parent subsequently becomes in compliance  
12 with the child support order, the department will promptly provide the  
13 parent with a written release stating that the parent is in compliance  
14 with the order, and the parent may request that the licensing entity or  
15 the department of licensing reinstate the suspended license.

16 (5) A responsible parent may request an adjudicative proceeding  
17 upon service of the notice described in subsection (2) of this section.  
18 The request for an adjudicative proceeding must be received by the  
19 department within twenty days of service. The request must be in  
20 writing and indicate the current mailing address and daytime phone  
21 number, if available, of the responsible parent. The proceedings under  
22 this subsection shall be conducted in accordance with the requirements  
23 of chapter 34.05 RCW. The issues that may be considered at the  
24 adjudicative proceeding are limited to whether the responsible parent  
25 is required to pay child support under a child support order and  
26 whether the responsible parent is in compliance with the order.

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

31 (7) If a responsible parent contacts the department's division of  
32 child support office indicated on the notice of noncompliance within  
33 twenty days of service of the notice and requests arrangement of a  
34 payment schedule, the department shall stay the certification of  
35 noncompliance during negotiation of the schedule for payment of  
36 arrears. In no event shall the stay continue for more than thirty days  
37 from the date of contact by the parent. The department shall make good  
38 faith efforts to establish a schedule for payment of arrears that is  
39 fair and reasonable, and that considers the financial situation of the

1 responsible parent and the needs of all children who rely on the  
2 responsible parent for support. At the end of the thirty days, if no  
3 payment schedule has been agreed to in writing, the department shall  
4 proceed with certification of noncompliance.

5 (8) If a responsible parent timely requests an adjudicative  
6 proceeding to contest the issue of compliance, the department may not  
7 certify the name of the parent to the department of licensing or a  
8 licensing entity for noncompliance with a child support order unless  
9 the adjudicative proceeding results in a finding that the responsible  
10 parent is not in compliance with the order.

11 (9) The department may certify in writing to the department of  
12 licensing and any appropriate licensing entity the name of a  
13 responsible parent who is not in compliance with a child support order  
14 if:

15 (a) The responsible parent does not timely request an adjudicative  
16 proceeding upon service of a notice issued under subsection (2) of this  
17 section and is not in compliance with a child support order twenty-one  
18 days after service of the notice;

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

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

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

26 The department shall send by regular mail a copy of any  
27 certification of noncompliance filed with the department of licensing  
28 or a licensing entity to the responsible parent at the responsible  
29 parent's most recent address of record.

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

36 (11) When a responsible parent who is served notice under  
37 subsection (2) of this section subsequently complies with the child  
38 support order, the department shall promptly provide the parent with a

1 written release stating that the responsible parent is in compliance  
2 with the order.

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

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

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

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.20A RCW  
32 to read as follows:

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

1 (2) On or before January 1, 1996, and quarterly thereafter, the  
2 department of social and health services and all licensing entities  
3 subject to section 2 of this act shall perform a comparison of  
4 responsible parents who are not in compliance with a child support  
5 order, as defined in section 2 of this act, with all licensees subject  
6 to chapter . . ., Laws of 1995 1st sp. sess. (this act). The  
7 comparison may be conducted electronically, or by any other means that  
8 is jointly agreeable between the department and the particular  
9 licensing entity. The data shared shall be limited to those items  
10 necessary to implementation of chapter . . ., Laws of 1995 1st sp.  
11 sess. (this act). The purpose of the comparison shall be to identify  
12 current licensees who are not in compliance with a child support order,  
13 and to provide to the department of social and health services the  
14 following information regarding those licensees:

- 15 (a) Name;
- 16 (b) Date of birth;
- 17 (c) Address of record;
- 18 (d) Federal employer identification number or social security  
19 number;
- 20 (e) Type of license;
- 21 (f) Effective date of license or renewal;
- 22 (g) Expiration date of license; and
- 23 (h) Active or inactive status.

24 **Sec. 4.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each  
25 amended to read as follows:

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

29 (1) "Department" means the state department of social and health  
30 services.

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

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

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

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

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

5 (5) "Child support order" means a superior court order or an  
6 administrative order.

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

16 (~~(6)~~) (7) "Administrative order" means any determination,  
17 finding, decree, or order for support pursuant to RCW 74.20A.055, or by  
18 an agency of another state pursuant to a substantially similar  
19 administrative process, establishing the existence of a support  
20 obligation and ordering the payment of a set or determinable amount of  
21 support moneys to satisfy the support obligation.

22 (~~(7)~~) (8) "Responsible parent" means a natural parent, adoptive  
23 parent, or stepparent of a dependent child or a person who has signed  
24 an affidavit acknowledging paternity which has been filed with the  
25 state office of vital statistics.

26 (~~(8)~~) (9) "Stepparent" means the present spouse of the person who  
27 is either the mother, father, or adoptive parent of a dependent child,  
28 and such status shall exist until terminated as provided for in RCW  
29 26.16.205.

30 (~~(9)~~) (10) "Support moneys" means any moneys or in-kind  
31 providings paid to satisfy a support obligation whether denominated as  
32 child support, spouse support, alimony, maintenance, or any other such  
33 moneys intended to satisfy an obligation for support of any person or  
34 satisfaction in whole or in part of arrears or delinquency on such an  
35 obligation.

36 (~~(10)~~) (11) "Support debt" means any delinquent amount of support  
37 moneys which is due, owing, and unpaid under a superior court order or  
38 an administrative order, a debt for the payment of expenses for the  
39 reasonable or necessary care, support, and maintenance, including



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

7 ~~((11))~~ (12) "State" means any state or political subdivision,  
8 territory, or possession of the United States, the District of  
9 Columbia, and the Commonwealth of Puerto Rico.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.20A RCW  
11 to read as follows:

12 In furtherance of the public policy of increasing collection of  
13 child support and to assist in evaluation of the program established in  
14 section 2 of this act, the department shall report the following to the  
15 legislature and the governor on December 1, 1996, and annually  
16 thereafter:

17 (1) The number of responsible parents identified as licensees  
18 subject to section 2 of this act;

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

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

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

25 (5) The number of adjudicative proceedings held, and the results of  
26 the adjudicative proceedings;

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

30 (7) The costs incurred in the implementation and enforcement of  
31 section 2 of this act and an estimate of the amount of child support  
32 collected due to the departments under section 2 of this act;

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

35 (9) Recommendations for the addition of specific licenses in the  
36 program or exclusion of specific licenses from the program, and reasons  
37 for such recommendations; and

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

3 **Sec. 6.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to read  
4 as follows:

5 The department is authorized to suspend the license of a driver  
6 upon a showing by its records or other sufficient evidence that the  
7 licensee:

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

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

13 (3) Has been convicted of offenses against traffic regulations  
14 governing the movement of vehicles, or found to have committed traffic  
15 infractions, with such frequency as to indicate a disrespect for  
16 traffic laws or a disregard for the safety of other persons on the  
17 highways;

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

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

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

26 (7) Has been certified by the department of social and health  
27 services as a person who is not in compliance with a child support  
28 order as provided in section 2 of this act.

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

31 (1) The department shall not suspend a driver's license or  
32 privilege to drive a motor vehicle on the public highways for a fixed  
33 period of more than one year, except as specifically permitted under  
34 RCW 46.20.342 or other provision of law. Except for a suspension under  
35 RCW 46.20.289 and 46.20.291(5), whenever the license or driving  
36 privilege of any person is suspended by reason of a conviction, a  
37 finding that a traffic infraction has been committed, pursuant to

1 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the  
2 suspension shall remain in effect until the person gives and thereafter  
3 maintains proof of financial responsibility for the future as provided  
4 in chapter 46.29 RCW. If the suspension is the result of a violation  
5 of RCW 46.61.502 or 46.61.504, the department shall determine the  
6 person's eligibility for licensing based upon the reports provided by  
7 the alcoholism agency or probation department designated under RCW  
8 46.61.5056 and shall deny reinstatement until enrollment and  
9 participation in an approved program has been established and the  
10 person is otherwise qualified. Whenever the license or driving  
11 privilege of any person is suspended as a result of certification of  
12 noncompliance with a child support order under chapter 74.20A RCW, the  
13 suspension shall remain in effect until the person provides a written  
14 release issued by the department of social and health services stating  
15 that the person is in compliance with the order. If a driver's license  
16 is suspended under chapter 74.20A RCW, the motor vehicle record for the  
17 suspended driver shall include a notation that explains the reason for  
18 the suspension. The department shall not issue to the person a new,  
19 duplicate, or renewal license until the person pays a reissue fee of  
20 twenty dollars. If the suspension is the result of a violation of RCW  
21 46.61.502 or 46.61.504, or is the result of administrative action under  
22 RCW 46.20.308, the reissue fee shall be fifty dollars.

23 (2) Any person whose license or privilege to drive a motor vehicle  
24 on the public highways has been revoked, unless the revocation was for  
25 a cause which has been removed, is not entitled to have the license or  
26 privilege renewed or restored until: (a) After the expiration of one  
27 year from the date the license or privilege to drive was revoked; (b)  
28 after the expiration of the applicable revocation period provided by  
29 RCW 46.20.--- or 46.61.--- (section 3 or 5, chapter 332, Laws of 1995);  
30 (c) after the expiration of two years for persons convicted of  
31 vehicular homicide; or (d) after the expiration of the applicable  
32 revocation period provided by RCW 46.20.265. After the expiration of  
33 the appropriate period, the person may make application for a new  
34 license as provided by law together with a reissue fee in the amount of  
35 twenty dollars, but if the revocation is the result of a violation of  
36 RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be fifty  
37 dollars. If the revocation is the result of a violation of RCW  
38 46.61.502 or 46.61.504, the department shall determine the person's  
39 eligibility for licensing based upon the reports provided by the

1 alcoholism agency or probation department designated under RCW  
2 46.61.5056 and shall deny reissuance of a license, permit, or privilege  
3 to drive until enrollment and participation in an approved program has  
4 been established and the person is otherwise qualified. Except for a  
5 revocation under RCW 46.20.265, the department shall not then issue a  
6 new license unless it is satisfied after investigation of the driving  
7 ability of the person that it will be safe to grant the privilege of  
8 driving a motor vehicle on the public highways, and until the person  
9 gives and thereafter maintains proof of financial responsibility for  
10 the future as provided in chapter 46.29 RCW. For a revocation under  
11 RCW 46.20.265, the department shall not issue a new license unless it  
12 is satisfied after investigation of the driving ability of the person  
13 that it will be safe to grant that person the privilege of driving a  
14 motor vehicle on the public highways.

15 (3) Whenever the driver's license of any person is suspended  
16 pursuant to Article IV of the nonresident violators compact or RCW  
17 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue  
18 to the person any new or renewal license until the person pays a  
19 reissue fee of twenty dollars. If the suspension is the result of a  
20 violation of the laws of this or any other state, province, or other  
21 jurisdiction involving (a) the operation or physical control of a motor  
22 vehicle upon the public highways while under the influence of  
23 intoxicating liquor or drugs, or (b) the refusal to submit to a  
24 chemical test of the driver's blood alcohol content, the reissue fee  
25 shall be fifty dollars.

26 NEW SECTION. **Sec. 8.** A new section is added to chapter 2.48 RCW  
27 to read as follows:

28 ATTORNEYS. Any member of the Washington state bar association who  
29 has been certified by the department of social and health services as  
30 a person who is not in compliance with a child support order as  
31 provided in section 2 of this act shall be immediately suspended from  
32 membership. Membership shall not be reinstated until the person  
33 provides the Washington state bar association a written release issued  
34 by the department of social and health services stating that the person  
35 is in compliance with the order. If the person has continued to meet  
36 all other requirements for membership during the suspension,  
37 reinstatement shall be automatic upon receipt of the notice and payment  
38 of any reinstatement fee the association may impose.

1        NEW SECTION.    **Sec. 9.**    A new section is added to chapter 18.04 RCW  
2 to read as follows:

3        ACCOUNTANTS.    The board shall immediately suspend the certificate  
4 or license of a person who has been certified pursuant to section 2 of  
5 this act by the department of social and health services as a person  
6 who is not in compliance with a child support order.

7        **Sec. 10.**    RCW 18.04.335 and 1992 c 103 s 13 are each amended to  
8 read as follows:

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

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

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

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

24        NEW SECTION.    **Sec. 11.**    A new section is added to chapter 18.08 RCW  
25 to read as follows:

26        ARCHITECTS.    The board shall immediately suspend the certificate of  
27 registration or certificate of authorization to practice architecture  
28 of a person who has been certified pursuant to section 2 of this act by  
29 the department of social and health services as a person who is not in  
30 compliance with a child support order. If the person has continued to  
31 meet other requirements for reinstatement during the suspension,  
32 reissuance of the certificate shall be automatic upon the board's  
33 receipt of a written release issued by the department of social and  
34 health services stating that the individual is in compliance with the  
35 child support order.

1       **Sec. 12.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to  
2 read as follows:

3       AUCTIONEERS. (1) No license shall be issued by the department to  
4 any person who has been convicted of forgery, embezzlement, obtaining  
5 money under false pretenses, extortion, criminal conspiracy, fraud,  
6 theft, receiving stolen goods, unlawful issuance of checks or drafts,  
7 or other similar offense, or to any partnership of which the person is  
8 a member, or to any association or corporation of which the person is  
9 an officer or in which as a stockholder the person has or exercises a  
10 controlling interest either directly or indirectly.

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

14       (a) Misrepresentation or concealment of material facts in obtaining  
15 a license;

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

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

20       (d) Misleading or false advertising;

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

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

25       (g) Nonpayment of an administrative fine prior to renewal of a  
26 license;

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

29       (i) Any other violations of this chapter.

30       (3) The department shall immediately suspend the license of a  
31 person who has been certified pursuant to section 2 of this act by the  
32 department of social and health services as a person who is not in  
33 compliance with a child support order. If the person has continued to  
34 meet all other requirements for reinstatement during the suspension,  
35 reissuance of the license shall be automatic upon the department's  
36 receipt of a written release issued by the department of social and  
37 health services stating that the licensee is in compliance with the  
38 child support order.

1        NEW SECTION.    **Sec. 13.**    A new section is added to chapter 18.16 RCW  
2 to read as follows:

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

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

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

23        **Sec. 15.**    RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each  
24 amended to read as follows:

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

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

32        (a) One year;

33        (b) Until the bond expires; or

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

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

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

7 (5) The department shall immediately suspend the certificate of  
8 registration of a contractor who has been certified by the department  
9 of social and health services as a person who is not in compliance with  
10 a child support order as provided in section 2 of this act. The  
11 certificate of registration shall not be reissued or renewed unless the  
12 person provides to the department a written release from the department  
13 of social and health services stating that he or she is in compliance  
14 with the child support order and the person has continued to meet all  
15 other requirements for certification during the suspension.

16 NEW SECTION. Sec. 16. A new section is added to chapter 18.28 RCW  
17 to read as follows:

18 DEBT ADJUSTERS. The department shall immediately suspend the  
19 license of a person who has been certified pursuant to section 2 of  
20 this act by the department of social and health services as a person  
21 who is not in compliance with a child support order. If the person has  
22 continued to meet all other requirements for reinstatement during the  
23 suspension, reissuance of the license shall be automatic upon the  
24 department's receipt of a written release issued by the department of  
25 social and health services stating that the licensee is in compliance  
26 with the child support order.

27 Sec. 17. RCW 18.39.181 and 1986 c 259 s 65 are each amended to  
28 read as follows:

29 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the  
30 following powers and duties:

- 31 (1) To issue all licenses provided for under this chapter;
- 32 (2) To annually renew licenses under this chapter;
- 33 (3) To collect all fees prescribed and required under this chapter;
- 34 ((and))
- 35 (4) To immediately suspend the license of a person who has been  
36 certified pursuant to section 2 of this act by the department of social



1 and health services as a person who is not in compliance with a child  
2 support order; and

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

6 NEW SECTION. Sec. 18. A new section is added to chapter 18.39 RCW  
7 to read as follows:

8 EMBALMERS AND FUNERAL DIRECTORS. In the case of suspension for  
9 failure to comply with a child support order under chapter 74.20A RCW,  
10 if the person has continued to meet all other requirements for  
11 reinstatement during the suspension, reissuance of a 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  
14 individual is in compliance with the child support order.

15 NEW SECTION. Sec. 19. A new section is added to chapter 18.43 RCW  
16 to read as follows:

17 ENGINEERS AND LAND SURVEYORS. The board shall immediately suspend  
18 the registration of a person who has been certified pursuant to section  
19 2 of this act by the department of social and health services as a  
20 person who is not in compliance with a child support order. If the  
21 person has continued to meet all other requirements for membership  
22 during the suspension, reissuance of the registration shall be  
23 automatic upon the board's receipt of a written release issued by the  
24 department of social and health services stating that the person is in  
25 compliance with the child support order.

26 NEW SECTION. Sec. 20. A new section is added to chapter 18.44 RCW  
27 to read as follows:

28 ESCROW AGENTS. The department shall immediately suspend the  
29 certificate of registration of a person who has been certified pursuant  
30 to section 2 of this act by the department of social and health  
31 services as a person who is not in compliance with a child support  
32 order. If the person has continued to meet all other requirements for  
33 certification during the suspension, reissuance of the certificate  
34 shall be automatic upon the department's receipt of a written release  
35 issued by the department of social and health services stating that the  
36 person is in compliance with the child support order.

1       **Sec. 21.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read  
2 as follows:

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

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

16       RCW 43.70.115 governs notice of a license denial, revocation,  
17 suspension, or modification and provides the right to an adjudicative  
18 proceeding.

19       NEW SECTION. **Sec. 22.** A new section is added to chapter 18.51 RCW  
20 to read as follows:

21       NURSING HOME OPERATORS. The department shall immediately suspend  
22 the license of a person who has been certified pursuant to section 2 of  
23 this act by the department of social and health services, division of  
24 child support, as a person who is not in compliance with a child  
25 support order. If the person has continued to meet all other  
26 requirements for reinstatement during the suspension, reissuance of the  
27 license shall be automatic upon the department's receipt of a written  
28 release issued by the division of child support stating that the person  
29 is in compliance with the child support order.

30       NEW SECTION. **Sec. 23.** A new section is added to chapter 18.76 RCW  
31 to read as follows:

32       POISON CENTER MEDICAL DIRECTOR/POISON INFORMATION SPECIALISTS. The  
33 department shall immediately suspend the certification of a poison  
34 center medical director or a poison information specialist who has been  
35 certified pursuant to section 2 of this act by the department of social  
36 and health services as a person who is not in compliance with a child  
37 support order. If the person has continued to meet all other

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

5 NEW SECTION. **Sec. 24.** A new section is added to chapter 18.85 RCW  
6 to read as follows:

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

16 **Sec. 25.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended  
17 to read as follows:

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

22 ~~((+1))~~ (a) The holder of the certificate of registration is  
23 impersonating a practitioner or former practitioner.

24 ~~((+2))~~ (b) The holder of the certificate of registration is guilty  
25 of fraud, deceit, gross negligence, gross incompetency or gross  
26 misconduct in the practice of landscape architecture.

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

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

33 (2) The director shall immediately suspend the certificate of  
34 registration of a landscape architect who has been certified pursuant  
35 to section 2 of this act by the department of social and health  
36 services as a person who is not in compliance with a child support  
37 order. If the person has continued to meet all other requirements for

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

5 **Sec. 26.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to  
6 read as follows:

7 WATER WELL CONSTRUCTION. (1) In cases other than those relating to  
8 the failure of a licensee to renew a license, the director may suspend  
9 or revoke a license issued pursuant to this chapter for any of the  
10 following reasons:

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

12 ~~((2))~~ (b) For fraud or deception in reporting under RCW  
13 18.104.050;

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

17 (2) The director shall immediately suspend any license issued under  
18 this chapter if the holder of the license has been certified pursuant  
19 to section 2 of this act by the department of social and health  
20 services as a person who is not in compliance with a child support  
21 order. If the person has continued to meet all other requirements for  
22 reinstatement during the suspension, reissuance of the license shall be  
23 automatic upon the director's receipt of a written release issued by  
24 the department of social and health services stating that the person is  
25 in compliance with the child support order.

26 (3) No license shall be suspended for more than six months, except  
27 that a suspension under section 2 of this act shall continue until the  
28 department receives a written release issued by the department of  
29 social and health services stating that the person is in compliance  
30 with the order.

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

34 NEW SECTION. **Sec. 27.** A new section is added to chapter 18.106  
35 RCW to read as follows:

36 PLUMBERS. The department shall immediately suspend any certificate  
37 of competency issued under this chapter if the holder of the

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

9 NEW SECTION. **Sec. 28.** A new section is added to chapter 18.130  
10 RCW to read as follows:

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

16 **Sec. 29.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to  
17 read as follows:

18 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining  
19 authority has the following authority:

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

22 (2) To investigate all complaints or reports of unprofessional  
23 conduct as defined in this chapter and to hold hearings as provided in  
24 this chapter;

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

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

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

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

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

36 (8) To use a presiding officer as authorized in RCW 18.130.095(3)  
37 or the office of administrative hearings as authorized in chapter 34.12

1 RCW to conduct hearings. The disciplining authority shall make the  
2 final decision regarding disposition of the license unless the  
3 disciplining authority elects to delegate in writing the final decision  
4 to the presiding officer;

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

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

10 (11) To contract with licensees or other persons or organizations  
11 to provide services necessary for the monitoring and supervision of  
12 licensees who are placed on probation, whose professional activities  
13 are restricted, or who are for any authorized purpose subject to  
14 monitoring by the disciplining authority;

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

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

20 (14) To designate individuals authorized to sign subpoenas and  
21 statements of charges;

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

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

33 (17) To immediately suspend licenses of persons who have been  
34 certified by the department of social and health services as not in  
35 compliance with a child support order as provided in section 2 of this  
36 act.

37 **Sec. 30.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to  
38 read as follows:

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

10 A person whose license has been suspended for noncompliance with a  
11 child support order under section 2 of this act may petition for  
12 reinstatement at any time by providing the disciplining authority a  
13 written release issued by the department of social and health services  
14 stating that the person is in compliance with the child support order.  
15 If the person has continued to meet all other requirements for  
16 reinstatement during the suspension, the disciplining authority shall  
17 automatically reissue the person's license upon receipt of the release,  
18 and payment of a reinstatement fee, if any.

19 NEW SECTION. Sec. 31. A new section is added to chapter 18.140  
20 RCW to read as follows:

21 CERTIFIED REAL ESTATE APPRAISERS. The department shall immediately  
22 suspend any license or certificate issued under this chapter if the  
23 holder has been certified pursuant to section 2 of this act by the  
24 department of social and health services as a person who is not in  
25 compliance with a child support order. If the person has continued to  
26 meet all other requirements for reinstatement during the suspension,  
27 reissuance of the license or certificate shall be automatic upon the  
28 department's receipt of a written release issued by the department of  
29 social and health services stating that the person is in compliance  
30 with the child support order.

31 NEW SECTION. Sec. 32. A new section is added to chapter 18.145  
32 RCW to read as follows:

33 SHORTHAND REPORTERS. The director shall immediately suspend any  
34 certificate issued under this chapter if the holder has been certified  
35 pursuant to section 2 of this act by the department of social and  
36 health services as a person who is not in compliance with a child  
37 support order. If the person has continued to meet all other

1 requirements for certification during the suspension, reissuance of the  
2 certificate 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. 33.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to  
6 read as follows:

7 FIRE SPRINKLER SYSTEM CONTRACTORS. (1) The state director of fire  
8 protection may refuse to issue or renew or may suspend or revoke the  
9 privilege of a licensed fire protection sprinkler system contractor or  
10 the certificate of a certificate of competency holder to engage in the  
11 fire protection sprinkler system business or in lieu thereof, establish  
12 penalties as prescribed by Washington state law, for any of the  
13 following reasons:

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

17 (b) Conviction of a felony;

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

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

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

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

28 (2) The state director of fire protection shall revoke the license  
29 of a licensed fire protection sprinkler system contractor or the  
30 certificate of a certificate of competency holder who engages in the  
31 fire protection sprinkler system business while the license or  
32 certificate of competency is suspended.

33 (3) The state director of fire protection shall immediately suspend  
34 any license or certificate issued under this chapter if the holder has  
35 been certified pursuant to section 2 of this act by the department of  
36 social and health services as a person who is not in compliance with a  
37 child support order. If the person has continued to meet all other  
38 requirements for reinstatement during the suspension, reissuance of the



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

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

9 NEW SECTION. Sec. 34. A new section is added to chapter 18.165  
10 RCW to read as follows:

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

20 NEW SECTION. Sec. 35. A new section is added to chapter 18.170  
21 RCW to read as follows:

22 SECURITY GUARDS. The director shall immediately suspend any  
23 license issued under this chapter if the holder has been certified  
24 pursuant to section 2 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 reinstatement during the suspension, reissuance of the  
28 license 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 NEW SECTION. Sec. 36. A new section is added to chapter 18.175  
32 RCW to read as follows:

33 ATHLETE AGENTS. The director shall immediately suspend a  
34 certificate of registration issued under this chapter if the holder has  
35 been certified pursuant to section 2 of this act by the department of  
36 social and health services as a person who is not in compliance with a

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

6 NEW SECTION. **Sec. 37.** A new section is added to chapter 18.185  
7 RCW to read as follows:

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

17 **Sec. 38.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to  
18 read as follows:

19 This section governs the denial of an application for a license or  
20 the suspension, revocation, or modification of a license by the  
21 department.

22 (1) The department shall give written notice of the denial of an  
23 application for a license to the applicant or his or her agent. The  
24 department shall give written notice of revocation, suspension, or  
25 modification of a license to the licensee or his or her agent. The  
26 notice shall state the reasons for the action. The notice shall be  
27 personally served in the manner of service of a summons in a civil  
28 action or shall be given in (~~an other~~) another manner that shows  
29 proof of receipt.

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

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

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

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

11 (3) Except for licensees suspended for noncompliance with a child  
12 support order under chapter 74.20A RCW, a license applicant or licensee  
13 who is aggrieved by a department denial, revocation, suspension, or  
14 modification has the right to an adjudicative proceeding. The  
15 proceeding is governed by the Administrative Procedure Act, chapter  
16 34.05 RCW. The application must be in writing, state the basis for  
17 contesting the adverse action, include a copy of the adverse notice, be  
18 served on and received by the department within twenty-eight days of  
19 the license applicant's or licensee's receiving the adverse notice, and  
20 be served in a manner that shows proof of receipt.

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

30 (b) If the department gives a licensee less than twenty-eight days  
31 notice of revocation, suspension, or modification and the licensee  
32 timely files a sufficient appeal, the department may implement the  
33 adverse action on the effective date stated in the notice. The  
34 presiding or reviewing officer may order the department to stay  
35 implementation of part or all of the adverse action while the  
36 proceedings are pending if staying implementation is in the public  
37 interest or for other good cause.

1        NEW SECTION.    **Sec. 39.**    A new section is added to chapter 74.20A  
2 RCW to read as follows:

3        In order to be eligible for aid to families with dependent  
4 children, applicants must, at the time of application for assistance,  
5 provide the names of both parents of their child or children, whether  
6 born or unborn, unless the applicant meets federal criteria for  
7 refusing such identification.

8        NEW SECTION.    **Sec. 40.**    A new section is added to chapter 26.18 RCW  
9 to read as follows:

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

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

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

15        (c) Imprisonment for the crime of family nonsupport under RCW  
16 26.20.035.

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

22        NEW SECTION.    **Sec. 41.**    If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

26        NEW SECTION.    **Sec. 42.**    Section captions as used in this act do not  
27 constitute any part of the law."

28 **ESSB 5375** - S AMD - 440

29        By Senators Wojahn, Fairley, Kohl, Quigley, Drew, McAuliffe,  
30            Spanel, Franklin, Wood, Prentice, Haugen, Deccio, McCaslin,  
31            Oke and Snyder

32

33        On page 1, line 2 of the title, after "support;" strike the  
34 remainder of the title and insert "amending RCW 74.20A.020, 46.20.291,  
35 46.20.311, 18.04.335, 18.11.160, 18.27.060, 18.39.181, 18.46.050,

1 18.96.120, 18.104.110, 18.130.050, 18.130.150, 18.160.080, and  
2 43.20A.205; adding new sections to chapter 74.20A RCW; adding a new  
3 section to chapter 2.48 RCW; adding a new section to chapter 18.04 RCW;  
4 adding a new section to chapter 18.08 RCW; adding a new section to  
5 chapter 18.16 RCW; adding a new section to chapter 18.20 RCW; adding a  
6 new section to chapter 18.28 RCW; adding a new section to chapter 18.39  
7 RCW; adding a new section to chapter 18.43 RCW; adding a new section to  
8 chapter 18.44 RCW; adding a new section to chapter 18.51 RCW; adding a  
9 new section to chapter 18.76 RCW; adding a new section to chapter 18.85  
10 RCW; adding a new section to chapter 18.106 RCW; adding a new section  
11 to chapter 18.130 RCW; adding a new section to chapter 18.140 RCW;  
12 adding a new section to chapter 18.145 RCW; adding a new section to  
13 chapter 18.165 RCW; adding a new section to chapter 18.170 RCW; adding  
14 a new section to chapter 18.175 RCW; adding a new section to chapter  
15 18.185 RCW; adding a new section to chapter 26.18 RCW; and creating new  
16 sections."

--- END ---