

HOUSE BILL REPORT

HB 2561

As Reported by House Committee On:
Juvenile Justice & Family Law

Title: An act relating to the uniform interstate family support act.

Brief Description: Changing the effective date of the uniform interstate family support act.

Sponsors: Representatives Dickerson and Delvin; by request of Uniform Legislation Commission.

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 1/28/04, 2/4/04 [DP].

Brief Summary of Bill

- Changes the effective date of the 2002 Act adopting the Uniform Interstate Family Support Act (UIFSA) amendments.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: Do pass. Signed by 6 members: Representatives Dickerson, Chair; Pettigrew, Vice Chair; Delvin, Ranking Minority Member; Hinkle, Lovick and Upthegrove.

Minority Report: Do not pass. Signed by 1 member: Representative Carrell.

Staff: Sonja Hallum (786-7092).

Background:

The Uniform Interstate Family Support Act (UIFSA) addresses child support issues that arise when parties reside in different states. The UIFSA was drafted by the National Conference of Commissioners on Uniform State Laws in the early 1990s. Washington adopted the UIFSA by 1994.

In 1996, federal welfare reform legislation required states to enact the UIFSA and any recent amendments to the UIFSA. At that time, the most recent amendments were the

commissioners' 1996 amendments, and Washington adopted these as required. In 2001, the Uniform Law Commissioners adopted additional amendments to the UIFSA.

In 2001, Washington adopted these additional amendments with an effective date of six months following the date Congress amended its original UIFSA mandate to include the amendments. Congress has not yet adopted the amendments. However, the Department of Health and Human Services has been granting waivers from the federal mandate to states that have been acting in compliance with the amendments, rather than the original mandate.

Current legislation in Washington does not address the use of a waiver.

Summary of Bill:

The bill changes the effective date of the 2002 Washington act adopting the Uniform Interstate Family Support Act (UIFSA) amendments. The date the 2002 legislation is effective is changed to be the sooner of: 1) the date Congress amends the UIFSA; or 2) the effective date when the state is granted a waiver from the federal mandate.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: When we brought the UIFSA we thought Congress would adopt the amendments right away and this gives the option of taking advantage of the waiver process and enact the UIFSA.

Testimony Against: None.

Persons Testifying: Judge Marlin Appelwick, Uniform Legislation Commission; and Rick Bartholomew, Washington State Bar Association, Family Law Section.

Persons Signed In To Testify But Not Testifying: None.