

**SHB 2302** - S COMM AMD

By Committee on Ways & Means

**ADOPTED 03/06/2020**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 26.19.011 and 2005 c 282 s 35 are each amended to  
4 read as follows:

5 Unless the context clearly requires otherwise, the definitions in  
6 this section apply throughout this chapter.

7 (1) "Basic child support obligation" means the monthly child  
8 support obligation determined from the economic table based on the  
9 parties' combined monthly net income and the number of children for  
10 whom support is owed.

11 (2) "Child support schedule" means the standards, economic table,  
12 worksheets, and instructions, as defined in this chapter.

13 (3) "Court" means a superior court judge, court commissioner, and  
14 presiding and reviewing officers who administratively determine or  
15 enforce child support orders.

16 (4) "Deviation" means a child support amount that differs from  
17 the standard calculation.

18 (5) "Economic table" means the child support table for the basic  
19 support obligation provided in RCW 26.19.020.

20 (6) "Full-time" means the customary number of maximum,  
21 nonovertime hours worked in an individual's historical occupation,  
22 industry, and labor market. "Full-time" does not necessarily mean  
23 forty hours per week.

24 (7) "Instructions" means the instructions developed by the  
25 administrative office of the courts pursuant to RCW 26.19.050 for use  
26 in completing the worksheets.

27 ~~((7))~~ (8) "Standards" means the standards for determination of  
28 child support as provided in this chapter.

29 ~~((8))~~ (9) "Standard calculation" means the presumptive amount  
30 of child support owed as determined from the child support schedule  
31 before the court considers any reasons for deviation.

1        ~~((9))~~ (10) "Support transfer payment" means the amount of money  
2 the court orders one parent to pay to another parent or custodian for  
3 child support after determination of the standard calculation and  
4 deviations. If certain expenses or credits are expected to fluctuate  
5 and the order states a formula or percentage to determine the  
6 additional amount or credit on an ongoing basis, the term "support  
7 transfer payment" does not mean the additional amount or credit.

8        ~~((10))~~ (11) "Worksheets" means the forms developed by the  
9 administrative office of the courts pursuant to RCW 26.19.050 for use  
10 in determining the amount of child support.

11        **Sec. 2.** RCW 26.19.071 and 2011 1st sp.s. c 36 s 14 are each  
12 amended to read as follows:

13        (1) **Consideration of all income.** All income and resources of each  
14 parent's household shall be disclosed and considered by the court  
15 when the court determines the child support obligation of each  
16 parent. Only the income of the parents of the children whose support  
17 is at issue shall be calculated for purposes of calculating the basic  
18 support obligation. Income and resources of any other person shall  
19 not be included in calculating the basic support obligation.

20        (2) **Verification of income.** Tax returns for the preceding two  
21 years and current paystubs shall be provided to verify income and  
22 deductions. Other sufficient verification shall be required for  
23 income and deductions which do not appear on tax returns or paystubs.

24        (3) **Income sources included in gross monthly income.** Except as  
25 specifically excluded in subsection (4) of this section, monthly  
26 gross income shall include income from any source, including:

- 27        (a) Salaries;
- 28        (b) Wages;
- 29        (c) Commissions;
- 30        (d) Deferred compensation;
- 31        (e) Overtime, except as excluded for income in subsection (4)(i)
- 32 of this section;
- 33        (f) Contract-related benefits;
- 34        (g) Income from second jobs, except as excluded for income in
- 35 subsection (4)(i) of this section;
- 36        (h) Dividends;
- 37        (i) Interest;
- 38        (j) Trust income;
- 39        (k) Severance pay;

- 1 (l) Annuities;
- 2 (m) Capital gains;
- 3 (n) Pension retirement benefits;
- 4 (o) Workers' compensation;
- 5 (p) Unemployment benefits;
- 6 (q) Maintenance actually received;
- 7 (r) Bonuses;
- 8 (s) Social security benefits;
- 9 (t) Disability insurance benefits; and
- 10 (u) Income from self-employment, rent, royalties, contracts,
- 11 proprietorship of a business, or joint ownership of a partnership or
- 12 closely held corporation.

13 (4) **Income sources excluded from gross monthly income.** The  
14 following income and resources shall be disclosed but shall not be  
15 included in gross income:

- 16 (a) Income of a new spouse or new domestic partner or income of
- 17 other adults in the household;
- 18 (b) Child support received from other relationships;
- 19 (c) Gifts and prizes;
- 20 (d) Temporary assistance for needy families;
- 21 (e) Supplemental security income;
- 22 (f) Aged, blind, or disabled assistance benefits;
- 23 (g) Pregnant women assistance benefits;
- 24 (h) Food stamps; and
- 25 (i) Overtime or income from second jobs beyond forty hours per
- 26 week averaged over a twelve-month period worked to provide for a
- 27 current family's needs, to retire past relationship debts, or to
- 28 retire child support debt, when the court finds the income will cease
- 29 when the party has paid off his or her debts.

30 Receipt of income and resources from temporary assistance for  
31 needy families, supplemental security income, aged, blind, or  
32 disabled assistance benefits, and food stamps shall not be a reason  
33 to deviate from the standard calculation.

34 (5) **Determination of net income.** The following expenses shall be  
35 disclosed and deducted from gross monthly income to calculate net  
36 monthly income:

- 37 (a) Federal and state income taxes;
- 38 (b) Federal insurance contributions act deductions;
- 39 (c) Mandatory pension plan payments;
- 40 (d) Mandatory union or professional dues;

1 (e) State industrial insurance premiums;

2 (f) Court-ordered maintenance to the extent actually paid;

3 (g) Up to five thousand dollars per year in voluntary retirement  
4 contributions actually made if the contributions show a pattern of  
5 contributions during the one-year period preceding the action  
6 establishing the child support order unless there is a determination  
7 that the contributions were made for the purpose of reducing child  
8 support; and

9 (h) Normal business expenses and self-employment taxes for self-  
10 employed persons. Justification shall be required for any business  
11 expense deduction about which there is disagreement.

12 Items deducted from gross income under this subsection shall not  
13 be a reason to deviate from the standard calculation.

14 (6) **Imputation of income.** The court shall impute income to a  
15 parent when the parent is voluntarily unemployed or voluntarily  
16 underemployed. The court shall determine whether the parent is  
17 voluntarily underemployed or voluntarily unemployed based upon that  
18 parent's ~~((work history, education,))~~ assets, residence, employment  
19 and earnings history, job skills, educational attainment, literacy,  
20 health, ((and)) age, criminal record, dependency court obligations,  
21 and other employment barriers, record of seeking work, the local job  
22 market, the availability of employers willing to hire the parent, the  
23 prevailing earnings level in the local community, or any other  
24 relevant factors. A court shall not impute income to a parent who is  
25 gainfully employed on a full-time basis, unless the court finds that  
26 the parent is voluntarily underemployed and finds that the parent is  
27 purposely underemployed to reduce the parent's child support  
28 obligation. Income shall not be imputed for an unemployable parent.  
29 Income shall not be imputed to a parent to the extent the parent is  
30 unemployed or significantly underemployed due to the parent's efforts  
31 to comply with court-ordered reunification efforts under chapter  
32 13.34 RCW or under a voluntary placement agreement with an agency  
33 supervising the child. ~~((In))~~

34 (a) Except as provided in (b) of this subsection, in the absence  
35 of records of a parent's actual earnings, the court shall impute a  
36 parent's income in the following order of priority:

37 ~~((a))~~ (i) Full-time earnings at the current rate of pay;

38 ~~((b))~~ (ii) Full-time earnings at the historical rate of pay  
39 based on reliable information, such as employment security department  
40 data;

1       ~~((e))~~ (iii) Full-time earnings at a past rate of pay where  
2 information is incomplete or sporadic;

3       ~~((d))~~ (iv) Earnings of thirty-two hours per week at minimum  
4 wage in the jurisdiction where the parent resides if the parent is on  
5 or recently coming off temporary assistance for needy families or  
6 recently coming off aged, blind, or disabled assistance benefits,  
7 pregnant women assistance benefits, essential needs and housing  
8 support, supplemental security income, or disability, has recently  
9 been released from incarceration, or is a recent high school  
10 graduate. Imputation of earnings at thirty-two hours per week under  
11 this subsection is a rebuttable presumption;

12       (v) Full-time earnings at minimum wage in the jurisdiction where  
13 the parent resides if the parent has a recent history of minimum wage  
14 earnings, (~~is recently coming off public assistance, aged, blind, or~~  
15 ~~disabled assistance benefits, pregnant women assistance benefits,~~  
16 ~~essential needs and housing support, supplemental security income, or~~  
17 ~~disability, has recently been released from incarceration, or is a~~  
18 ~~high school student)) has never been employed and has no earnings~~  
19 history, or has no significant earnings history;

20       ~~((e))~~ (vi) Median net monthly income of year-round full-time  
21 workers as derived from the United States bureau of census, current  
22 population reports, or such replacement report as published by the  
23 bureau of census.

24       (b) When a parent is currently enrolled in high school full-time,  
25 the court shall consider the totality of the circumstances of both  
26 parents when determining whether each parent is voluntarily  
27 unemployed or voluntarily underemployed. If a parent who is currently  
28 enrolled in high school is determined to be voluntarily unemployed or  
29 voluntarily underemployed, the court shall impute income at earnings  
30 of twenty hours per week at minimum wage in the jurisdiction where  
31 that parent resides. Imputation of earnings at twenty hours per week  
32 under this subsection is a rebuttable presumption.

33       NEW SECTION. Sec. 3. (1) The legislature finds that a large  
34 number of justice-involved individuals owe significant child support  
35 debts when they are released from incarceration.

36       (2) The legislature finds that these child support debts are  
37 often uncollectible and unduly burdensome on a recently released  
38 justice-involved individual, and that such debts severely impact the

1 ability of the person required to pay support to have a successful  
2 reentry and reintegration into society.

3 (3) The legislature finds that there is case law in Washington,  
4 *In re Marriage of Blickenstaff*, 71 Wn. App. 489, 859 P.2d 646 (1993),  
5 providing that incarceration does not equate to voluntary  
6 unemployment or voluntary underemployment.

7 (4) The legislature finds that there is a statewide movement to  
8 assist justice-involved individuals reenter and reintegrate into  
9 society, and to reduce state-caused pressures which tend to lead to  
10 recidivism and a return to jail or prison.

11 (5) The legislature finds that, although there is currently a  
12 statutory process for modification of child support orders, it is in  
13 the best interests of the children of the state of Washington to  
14 create a process of abatement instead of making it the sole  
15 responsibility of the justice-involved person to take action to deal  
16 with his or her child support obligation while incarcerated.

17 (6) The legislature intends, therefore, to create a remedy  
18 whereby court or administrative orders for child support entered in  
19 Washington state may be abated when the person required to pay  
20 support is incarcerated for at least six months and has no income or  
21 assets available to pay support.

22 (7) The goal of this act is to ensure that the person required to  
23 pay support makes the maximum child support monthly payment amount  
24 appropriate to comply with an order for child support,  
25 notwithstanding other provisions related to abatement herein.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 26.09  
27 RCW to read as follows:

28 (1) When a child support order contains language providing for  
29 abatement based on incarceration of the person required to pay child  
30 support, there is a rebuttable presumption that an incarcerated  
31 person is unable to pay the child support obligation. Unless the  
32 presumption is rebutted, the provisions of subsection (3) of this  
33 section apply.

34 (2)(a) If the child support order does not contain language  
35 providing for abatement based on incarceration of the person required  
36 to pay support, the department, the person required to pay support,  
37 the payee under the order, or the person entitled to receive support  
38 may commence an action in the appropriate forum to:

39 (i) Modify the support order to contain abatement language; and

1 (ii) Abate the person's child support obligation due to current  
2 incarceration for at least six months.

3 (b) In a proceeding brought under this subsection, there is a  
4 rebuttable presumption that an incarcerated person is unable to pay  
5 the child support obligation. The department, the payee under the  
6 order, or the person entitled to receive support, may rebut the  
7 presumption by demonstrating that the person required to pay support  
8 has possession of, or access to, income or assets available to  
9 provide support while incarcerated.

10 (c) Unless the presumption is rebutted, the provisions of  
11 subsection (3) of this section apply.

12 (3) If the court or administrative forum determines that  
13 abatement of support is appropriate:

14 (a) The child support obligation under that order will be abated  
15 to ten dollars per month, without regard to the number of children  
16 covered by that order, while the person required to pay support is  
17 confined in a jail, prison, or correctional facility for at least six  
18 months or is serving a sentence greater than six months in a jail,  
19 prison, or correctional facility. Either the department, the payee  
20 under the order, or the person entitled to receive support may rebut  
21 the presumption by demonstrating the person required to pay support  
22 has possession of, or access to, income or assets available to  
23 provide support while incarcerated.

24 (b) If the incarcerated person's support obligation under the  
25 order is abated as provided in (a) of this subsection, the obligation  
26 will remain abated to ten dollars per month through the last day of  
27 the third month after the person is released from confinement.

28 (c) After abatement, the support obligation of the person  
29 required to pay support under the order is automatically reinstated  
30 at fifty percent of the support amount provided in the underlying  
31 order, but may not be less than the presumptive minimum obligation of  
32 fifty dollars per month per child, effective the first day of the  
33 fourth month after the person's release from confinement. Effective  
34 one year after release from confinement, the reinstatement at fifty  
35 percent of the support amount is automatically terminated, and the  
36 support obligation of the person required to pay support under the  
37 order is automatically reinstated at one hundred percent of the  
38 support amount provided in the underlying order.

39 (i) Upon a showing of good cause by a party that the  
40 circumstances of the case allow it, the court or administrative forum

1 may add specific provisions to the order abating the child support  
2 obligation regarding when and how the abatement may terminate.

3 (ii) During the period of abatement, the department, the person  
4 required to pay support, the payee under the order, or the person  
5 entitled to receive support may commence an action to modify the  
6 child support order under RCW 26.09.170 or 74.20A.059, in which case  
7 the provision regarding reinstatement of the support amount at fifty  
8 percent does not apply.

9 (d) If the incarcerated person's support obligation under the  
10 order has been abated as provided in (a) of this subsection and then  
11 has been reinstated under (c) of this subsection:

12 (i) Either the department, the person required to pay support,  
13 the payee under the order, or the person entitled to receive support  
14 may file an action to modify or adjust the order in the appropriate  
15 forum, if:

16 (A) The provisions of (c) (i) and (ii) of this subsection do not  
17 apply; and

18 (B) The person required to pay support has been released from  
19 incarceration.

20 (ii) An action to modify or adjust the order based on the release  
21 from incarceration of the person required to pay support may be filed  
22 even if there is no other change of circumstances.

23 (4) The effective date of abatement of a child support obligation  
24 based on incarceration to ten dollars per month per order is the date  
25 on which the person required to pay support is confined in a jail,  
26 prison, or correctional facility for at least six months or begins  
27 serving a sentence greater than six months in a jail, prison, or  
28 correctional facility, regardless of when the department is notified  
29 of the incarceration. However:

30 (a) The person required to pay support is not entitled to a  
31 refund of any support collections or payments that were received by  
32 the department prior to the date on which the department is notified  
33 of the incarceration; and

34 (b) The department, the payee under the order, or the person  
35 entitled to receive support is not required to refund any support  
36 collections or payments that were received by the department prior to  
37 the date on which the department is notified of the incarceration.

38 (5) Abatement of a child support obligation based on  
39 incarceration of the person required to pay support does not  
40 constitute modification or adjustment of the order.



1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 26.09  
2    RCW to read as follows:

3        Either the department, the person required to pay support, the  
4    payee under the order, or the person entitled to receive support may  
5    make a request for abatement of child support to ten dollars per  
6    month under an order for child support when the person required to  
7    pay support is currently confined in a jail, prison, or correctional  
8    facility for at least six months, or is serving a sentence greater  
9    than six months in a jail, prison, or correctional facility.

10       (1) A request for the abatement of child support owed under one  
11    child support order does not automatically qualify as a request for  
12    abatement of support owed under every order that may exist requiring  
13    that person to pay support. However, the request applies to any  
14    support order which is being enforced by the department at the time  
15    of the request.

16       (2) If there are multiple orders requiring the incarcerated  
17    person to pay child support, the issue of whether abatement of  
18    support due to incarceration is appropriate must be considered for  
19    each order.

20       (a) The payee or person entitled to receive support under each  
21    support order is entitled to notice and an opportunity to be heard  
22    regarding the potential abatement of support under that order.

23       (b) If the child or children covered by a support order are not  
24    residing with the payee under the order, any other person entitled to  
25    receive support for the child or children must be provided notice and  
26    an opportunity to be heard regarding the potential abatement of  
27    support under that order.

28       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 26.09  
29    RCW to read as follows:

30       (1) When a child support order contains language regarding  
31    abatement to ten dollars per month per order based on incarceration  
32    of the person required to pay support, and that person is currently  
33    confined in a jail, prison, or correctional facility for at least six  
34    months, or is serving a sentence greater than six months in a jail,  
35    prison, or correctional facility, the department must:

36       (a) Review the support order for abatement once the department  
37    receives notice from the person required to pay support or someone  
38    acting on his or her behalf that the person may qualify for abatement  
39    of support;

1 (b) Review its records and other available information to  
2 determine if the person required to pay support has possession of, or  
3 access to, income or assets available to provide support while  
4 incarcerated; and

5 (c) Decide whether abatement of the person's support obligation  
6 is appropriate.

7 (2) If the department decides that abatement of the person's  
8 support obligation is appropriate, the department must notify the  
9 person required to pay support, and the payee under the order or the  
10 person entitled to receive support, that the incarcerated person's  
11 support obligation has been abated and that the abatement will  
12 continue until the first day of the fourth month after the person is  
13 released from confinement. The notification must include the  
14 following information:

15 (a) The payee under the order or the person entitled to receive  
16 support may object to the abatement of support due to incarceration;

17 (i) An objection must be received within twenty days of the  
18 notification of abatement;

19 (ii) Any objection will be forwarded to the office of  
20 administrative hearings for an adjudicative proceeding under chapter  
21 34.05 RCW;

22 (iii) The department, the person required to pay support, and the  
23 payee under the order or the person entitled to receive support, all  
24 have the right to participate in the administrative hearing as  
25 parties; and

26 (iv) The burden of proof is on the party objecting to the  
27 abatement of support to show that the person required to pay support  
28 has possession of, or access to, income or assets available to  
29 provide support while incarcerated;

30 (b) The effective date of the abatement of support;

31 (c) The estimated date of release;

32 (d) The estimated date that the abatement will end;

33 (e) That the person required to pay support, the payee under the  
34 order, the person entitled to receive support, or the department may  
35 file an action to modify the underlying support order once the person  
36 required to pay support is released from incarceration, as provided  
37 under section 4(3)(d) of this act; and

38 (f) That, if the abated obligation was established by a court  
39 order, the department will file a copy of the notification in the  
40 court file.

1 (3) If the department decides that abatement of the incarcerated  
2 person's support obligation is not appropriate, the department must  
3 notify the person required to pay support and the payee under the  
4 order or the person entitled to receive support, that the department  
5 does not believe that abatement of the support obligation should  
6 occur. The notification must include the following information:

7 (a) The reasons why the department decided that abatement of the  
8 support obligation is not appropriate;

9 (b) The person required to pay support and the payee under the  
10 order or the person entitled to receive support may object to the  
11 department's decision not to abate the support obligation;

12 (i) An objection must be received within twenty days of the  
13 notification of abatement;

14 (ii) Any objection will be forwarded to the office of  
15 administrative hearings for an adjudicative proceeding under chapter  
16 34.05 RCW; and

17 (iii) The department, the incarcerated person, and the payee  
18 under the order or the person entitled to receive support all have  
19 the right to participate in the administrative hearing as parties;

20 (c) That, if the administrative law judge enters an order  
21 providing that abatement is appropriate, the department will take  
22 appropriate steps to document the abatement and will provide  
23 notification to the parties as required in subsection (2) of this  
24 section.

25 NEW SECTION. **Sec. 7.** A new section is added to chapter 26.09  
26 RCW to read as follows:

27 (1) When a court or administrative order does not contain  
28 language regarding abatement based on incarceration of the person  
29 required to pay support and the department receives notice that the  
30 person is currently confined in a jail, prison, or correctional  
31 facility for at least six months or is serving a sentence greater  
32 than six months in a jail, prison, or correctional facility, the  
33 department must refer the case to the appropriate forum for a  
34 determination of whether the order should be modified to:

35 (a) Contain abatement language as provided in section 4 of this  
36 act; and

37 (b) Abate the person's child support obligation due to current  
38 incarceration.

1 (2) In a proceeding brought under this section, there is a  
2 rebuttable presumption that an incarcerated person is unable to pay  
3 the child support obligation. The department, the payee under the  
4 order, or the person entitled to receive support may rebut the  
5 presumption by demonstrating that the incarcerated person has  
6 possession of, or access to, income or assets available to provide  
7 support while incarcerated.

8 (3) Unless the presumption is rebutted, the court or  
9 administrative forum must enter an order providing that the child  
10 support obligation under the order is abated to ten dollars per  
11 month, without regard to the number of children covered by the order,  
12 if the person required to pay support is confined in a jail, prison,  
13 or correctional facility for at least six months, or is serving a  
14 sentence greater than six months in a jail, prison, or correctional  
15 facility.

16 (4) The order must:

17 (a) Include the appropriate language required by section 4 of  
18 this act in order to provide for a rebuttable presumption of  
19 abatement to ten dollars per month per order;

20 (b) Provide that the order must be reinstated at fifty percent of  
21 the previously ordered support amount but not less than the  
22 presumptive minimum obligation of fifty dollars per month per child,  
23 effective on the first day of the fourth month after the person's  
24 release from confinement, and also provide that the order must be  
25 automatically reinstated at one hundred percent of the previously  
26 ordered support amount effective one year after release from  
27 confinement; and

28 (c) Include language regarding an action to modify or adjust the  
29 underlying order as provided under section 4(3) of this act.

30 NEW SECTION. **Sec. 8.** A new section is added to chapter 26.09  
31 RCW to read as follows:

32 (1) At any time during the period of incarceration, the  
33 department, the payee under the order, or the person entitled to  
34 receive support may file a request to reverse or terminate the  
35 abatement of support by demonstrating that the incarcerated person  
36 has possession of, or access to, income or assets available to  
37 provide support while incarcerated.

1 (a) A request for reversal or termination of the abatement may be  
2 filed with the department or with the office of administrative  
3 hearings.

4 (b) The request must include documents or other evidence showing  
5 that the incarcerated person has possession of, or access to, income  
6 or assets available to provide support while incarcerated.

7 (c) If the request for a hearing does not include documents or  
8 evidence showing that the incarcerated person has possession of, or  
9 access to, income or assets, the department may file a motion asking  
10 that the request for a hearing be dismissed before a hearing is  
11 scheduled or held.

12 (d) The party seeking to reverse or terminate the abatement may  
13 seek to vacate the dismissal order by filing a motion which includes  
14 the required proof.

15 (e) Depending on the type of evidence provided at the hearing,  
16 the administrative law judge may order that the abatement of the  
17 support obligation be:

18 (i) Reversed, meaning that the determination that support should  
19 be abated is vacated and all amounts owed under the support order are  
20 reinstated; or

21 (ii) Terminated, meaning that the abatement of support ends as of  
22 the date specified in the order.

23 (2) At any time during the period of incarceration, the person  
24 required to pay support may file a request to reverse or terminate  
25 the abatement of support.

26 (a) The request for reversal or termination of the abatement may  
27 be filed with the department or with the office of administrative  
28 hearings.

29 (b) The person required to pay support is not required to provide  
30 any documents or other evidence to support the request.

31 (3) Abatement of a support obligation does not constitute  
32 modification or adjustment of the order.

33 **Sec. 9.** RCW 26.23.050 and 2019 c 46 s 5026 are each amended to  
34 read as follows:

35 (1) If the division of child support is providing support  
36 enforcement services under RCW 26.23.045, or if a party is applying  
37 for support enforcement services by signing the application form on  
38 the bottom of the support order, the superior court shall include in  
39 all court orders that establish or modify a support obligation:

1 (a) A provision that orders and directs the (~~responsible~~  
2 ~~parent~~) person required to pay support to make all support payments  
3 to the Washington state support registry;

4 (b) A statement that withholding action may be taken against  
5 wages, earnings, assets, or benefits, and liens enforced against real  
6 and personal property under the child support statutes of this or any  
7 other state, without further notice to the (~~responsible parent~~)  
8 person required to pay support at any time after entry of the court  
9 order, unless:

10 (i) One of the parties demonstrates, and the court finds, that  
11 there is good cause not to require immediate income withholding and  
12 that withholding should be delayed until a payment is past due; or

13 (ii) The parties reach a written agreement that is approved by  
14 the court that provides for an alternate arrangement;

15 (c) A statement that the (~~receiving parent~~) payee under the  
16 order or the person entitled to receive support might be required to  
17 submit an accounting of how the support, including any cash medical  
18 support, is being spent to benefit the child;

19 (d) A statement that (~~any parent~~) a party to the support order  
20 who is required to provide health care coverage for the child or  
21 children covered by the order must notify the division of child  
22 support and the other (~~parent~~) party to the support order when the  
23 coverage terminates; (~~and~~)

24 (e) A statement that (~~the responsible parent's privileges~~) any  
25 privilege of the person required to pay support to obtain and  
26 maintain a license, as defined in RCW 74.20A.320, may not be renewed,  
27 or may be suspended if the (~~parent~~) person is not in compliance  
28 with a support order as provided in RCW 74.20A.320; and

29 (f) A statement that the support obligation under the order may  
30 be abated as provided in section 4 of this act if the person required  
31 to pay support is confined in a jail, prison, or correctional  
32 facility for at least six months, or is serving a sentence greater  
33 than six months in a jail, prison, or correctional facility.

34 As used in this subsection and subsection (3) of this section,  
35 "good cause not to require immediate income withholding" means a  
36 written determination of why implementing immediate wage withholding  
37 would not be in the child's best interests and, in modification  
38 cases, proof of timely payment of previously ordered support.

39 (2) In all other cases not under subsection (1) of this section,  
40 the court may order the (~~responsible parent~~) person required to pay

1 support to make payments directly to the person entitled to receive  
2 the payments, to the Washington state support registry, or may order  
3 that payments be made in accordance with an alternate arrangement  
4 agreed upon by the parties.

5 (a) The superior court shall include in all orders under this  
6 subsection that establish or modify a support obligation:

7 (i) A statement that withholding action may be taken against  
8 wages, earnings, assets, or benefits, and liens enforced against real  
9 and personal property under the child support statutes of this or any  
10 other state, without further notice to the (~~responsible parent~~)  
11 person required to pay support at any time after entry of the court  
12 order, unless:

13 (A) One of the parties demonstrates, and the court finds, that  
14 there is good cause not to require immediate income withholding and  
15 that withholding should be delayed until a payment is past due; or

16 (B) The parties reach a written agreement that is approved by the  
17 court that provides for an alternate arrangement;

18 (ii) A statement that the (~~receiving parent~~) payee under the  
19 order or the person entitled to receive support may be required to  
20 submit an accounting of how the support is being spent to benefit the  
21 child;

22 (iii) A statement that any (~~parent~~) party to the order required  
23 to provide health care coverage for the child or children covered by  
24 the order must notify the division of child support and the other  
25 (~~parent~~) party to the order when the coverage terminates; and

26 (iv) A statement that a (~~parent~~) party to the order seeking to  
27 enforce the other party's obligation to provide health care coverage  
28 may:

29 (A) File a motion in the underlying superior court action; or

30 (B) If there is not already an underlying superior court action,  
31 initiate an action in the superior court.

32 As used in this subsection, "good cause not to require immediate  
33 income withholding" is any reason that the court finds appropriate.

34 (b) The superior court may order immediate or delayed income  
35 withholding as follows:

36 (i) Immediate income withholding may be ordered if the  
37 (~~responsible parent~~) person required to pay support has earnings.  
38 If immediate income withholding is ordered under this subsection, all  
39 support payments shall be paid to the Washington state support  
40 registry. The superior court shall issue a mandatory wage assignment

1 order as set forth in chapter 26.18 RCW when the support order is  
2 signed by the court. The (~~parent~~) payee under the order or the  
3 person entitled to receive the transfer payment is responsible for  
4 serving the employer with the order and for its enforcement as set  
5 forth in chapter 26.18 RCW.

6 (ii) If immediate income withholding is not ordered, the court  
7 shall require that income withholding be delayed until a payment is  
8 past due. The support order shall contain a statement that  
9 withholding action may be taken against wages, earnings, assets, or  
10 benefits, and liens enforced against real and personal property under  
11 the child support statutes of this or any other state, without  
12 further notice to the (~~responsible parent~~) person required to pay  
13 support, after a payment is past due.

14 (c) If a mandatory wage withholding order under chapter 26.18 RCW  
15 is issued under this subsection and the division of child support  
16 provides support enforcement services under RCW 26.23.045, the  
17 existing wage withholding assignment is prospectively superseded upon  
18 the division of child support's subsequent service of an income  
19 withholding notice.

20 (3) The office of administrative hearings and the department of  
21 social and health services shall require that all support obligations  
22 established as administrative orders include a provision which orders  
23 and directs that the (~~responsible parent~~) person required to pay  
24 support shall make all support payments to the Washington state  
25 support registry. All administrative orders shall also state that  
26 (~~the responsible parent's privileges~~) any privilege of the person  
27 required to pay support to obtain and maintain a license, as defined  
28 in RCW 74.20A.320, may not be renewed, or may be suspended if the  
29 (~~parent~~) person is not in compliance with a support order as  
30 provided in RCW 74.20A.320. All administrative orders shall also  
31 state that withholding action may be taken against wages, earnings,  
32 assets, or benefits, and liens enforced against real and personal  
33 property under the child support statutes of this or any other state  
34 without further notice to the (~~responsible parent~~) person required  
35 to pay support at any time after entry of the order, unless:

36 (a) One of the parties demonstrates, and the presiding officer  
37 finds, that there is good cause not to require immediate income  
38 withholding; or

39 (b) The parties reach a written agreement that is approved by the  
40 presiding officer that provides for an alternate agreement.



1 (4) If the support order does not include the provision ordering  
2 and directing that all payments be made to the Washington state  
3 support registry and a statement that withholding action may be taken  
4 against wages, earnings, assets, or benefits if a support payment is  
5 past due or at any time after the entry of the order, or that ((a  
6 ~~parent's~~)) licensing privileges of the person required to pay support  
7 may not be renewed, or may be suspended, the division of child  
8 support may serve a notice on the ((~~responsible parent~~)) person  
9 stating such requirements and authorizations. Service may be by  
10 personal service or any form of mail requiring a return receipt.

11 (5) Every support order shall state:

12 (a) The address where the support payment is to be sent;

13 (b) That withholding action may be taken against wages, earnings,  
14 assets, or benefits, and liens enforced against real and personal  
15 property under the child support statutes of this or any other state,  
16 without further notice to the ((~~responsible parent~~)) person required  
17 to pay support at any time after entry of a support order, unless:

18 (i) One of the parties demonstrates, and the court finds, that  
19 there is good cause not to require immediate income withholding; or

20 (ii) The parties reach a written agreement that is approved by  
21 the court that provides for an alternate arrangement;

22 (c) The income of the parties, if known, or that their income is  
23 unknown and the income upon which the support award is based;

24 (d) The support award as a sum certain amount;

25 (e) The specific day or date on which the support payment is due;

26 (f) The names and ages of the dependent children;

27 (g) A provision requiring both the ((~~responsible parent~~)) person  
28 required to pay support, and the ((~~eustodial parent~~)) payee under the  
29 order or the person entitled to receive support who is a parent of  
30 the child or children covered by the order, to keep the Washington  
31 state support registry informed of whether he or she has access to  
32 health care coverage at reasonable cost and, if so, the health care  
33 coverage information;

34 (h) That either or both the ((~~responsible parent~~)) person  
35 required to pay support, and the ((~~eustodial parent~~)) payee under the  
36 order or the person entitled to receive support who is a parent of  
37 the child or children covered by the order, shall be obligated to  
38 provide medical support for ((~~his or her~~)) a child or children  
39 covered by the order through health care coverage if:

1 (i) The (~~obligated parent~~) person obligated to provide medical  
2 support provides accessible coverage for the child or children  
3 through private or public health care coverage; or

4 (ii) Coverage that can be extended to cover the child or children  
5 is or becomes available to the (~~parent~~) person obligated to provide  
6 medical support through employment or is union-related; or

7 (iii) In the absence of such coverage, through an additional sum  
8 certain amount, as that (~~parent's~~) obligated person's monthly  
9 payment toward the premium as provided under RCW 26.09.105;

10 (i) That a (~~parent~~) person obligated to provide medical support  
11 who is providing health care coverage must notify both the division  
12 of child support and the other (~~parent~~) party to the order when  
13 coverage terminates;

14 (j) That if proof of health care coverage or proof that the  
15 coverage is unavailable is not provided within twenty days, the  
16 (~~parent~~) person seeking enforcement or the department may seek  
17 direct enforcement of the coverage through the employer or union of  
18 the (~~parent~~) person required to provide medical support without  
19 further notice to the (~~parent~~) person as provided under chapter  
20 26.18 RCW;

21 (k) The reasons for not ordering health care coverage if the  
22 order fails to require such coverage;

23 (l) That (~~the responsible parent's privileges~~) any privilege of  
24 the person required to pay support to obtain and maintain a license,  
25 as defined in RCW 74.20A.320, may not be renewed, or may be suspended  
26 if the (~~parent~~) person is not in compliance with a support order as  
27 provided in RCW 74.20A.320;

28 (m) That each (~~parent~~) party to the support order must:

29 (i) Promptly file with the court and update as necessary the  
30 confidential information form required by subsection (7) of this  
31 section; and

32 (ii) Provide the state case registry and update as necessary the  
33 information required by subsection (7) of this section; and

34 (n) That parties to administrative support orders shall provide  
35 to the state case registry and update as necessary their residential  
36 addresses and the address of the (~~responsible parent's~~) employer of  
37 the person required to pay support. The division of child support may  
38 adopt rules that govern the collection of parties' current residence  
39 and mailing addresses, telephone numbers, dates of birth, social  
40 security numbers, the names of the children, social security numbers

1 of the children, dates of birth of the children, driver's license  
2 numbers, and the names, addresses, and telephone numbers of the  
3 parties' employers to enforce an administrative support order. The  
4 division of child support shall not release this information if the  
5 division of child support determines that there is reason to believe  
6 that release of the information may result in physical or emotional  
7 harm to the party or to the child, or a restraining order or  
8 protective order is in effect to protect one party from the other  
9 party.

10 (6) After the (~~responsible parent~~) person required to pay  
11 support has been ordered or notified to make payments to the  
12 Washington state support registry under this section, (~~the~~  
13 ~~responsible parent~~) that person shall be fully responsible for  
14 making all payments to the Washington state support registry and  
15 shall be subject to payroll deduction or other income-withholding  
16 action. The (~~responsible parent~~) person required to pay support  
17 shall not be entitled to credit against a support obligation for any  
18 payments made to a person or agency other than to the Washington  
19 state support registry except as provided under RCW 74.20.101. A  
20 civil action may be brought by the (~~payer~~) person required to pay  
21 support to recover payments made to persons or agencies who have  
22 received and retained support moneys paid contrary to the provisions  
23 of this section.

24 (7) All petitioners and parties to all court actions under  
25 chapters 26.09, 26.10, 26.12, 26.18, 26.21A, 26.23, 26.26A, 26.26B,  
26 and 26.27 RCW shall complete to the best of their knowledge a  
27 verified and signed confidential information form or equivalent that  
28 provides the parties' current residence and mailing addresses,  
29 telephone numbers, dates of birth, social security numbers, driver's  
30 license numbers, and the names, addresses, and telephone numbers of  
31 the parties' employers. The clerk of the court shall not accept  
32 petitions, except in parentage actions initiated by the state, orders  
33 of child support, decrees of dissolution, or parentage orders for  
34 filing in such actions unless accompanied by the confidential  
35 information form or equivalent, or unless the confidential  
36 information form or equivalent is already on file with the court  
37 clerk. In lieu of or in addition to requiring the parties to complete  
38 a separate confidential information form, the clerk may collect the  
39 information in electronic form. The clerk of the court shall transmit  
40 the confidential information form or its data to the division of

1 child support with a copy of the order of child support or parentage  
2 order, and may provide copies of the confidential information form or  
3 its data and any related findings, decrees, parenting plans, orders,  
4 or other documents to the state administrative agency that  
5 administers Title IV-A, IV-D, IV-E, or XIX of the federal social  
6 security act. In state initiated parentage actions, the parties  
7 adjudicated the parents of the child or children shall complete the  
8 confidential information form or equivalent or the state's attorney  
9 of record may complete that form to the best of the attorney's  
10 knowledge.

11 (8) The department has rule-making authority to enact rules  
12 consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19)  
13 as amended by section 7307 of the deficit reduction act of 2005.  
14 Additionally, the department has rule-making authority to implement  
15 regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and  
16 308.

17 **Sec. 10.** RCW 74.20A.055 and 2019 c 46 s 5052 are each amended to  
18 read as follows:

19 (1) The secretary may, if there is no order that establishes  
20 ~~((the responsible parent's))~~ a person's support obligation or  
21 specifically relieves the ~~((responsible parent))~~ person required to  
22 pay support of a support obligation or pursuant to an establishment  
23 of parentage under chapter 26.26A or 26.26B RCW, serve on the  
24 ~~((responsible parent or parents))~~ person or persons required to pay  
25 support and ~~((custodial parent))~~ the person entitled to receive  
26 support a notice and finding of financial responsibility requiring  
27 ~~((the parents))~~ those persons to appear and show cause in an  
28 adjudicative proceeding why the finding of responsibility and/or the  
29 amount thereof is incorrect, should not be finally ordered, but  
30 should be rescinded or modified. This notice and finding shall relate  
31 to the support debt accrued and/or accruing under this chapter and/or  
32 RCW 26.16.205, including periodic payments to be made in the future.  
33 The hearing shall be held pursuant to this section, chapter 34.05  
34 RCW, the Administrative Procedure Act, and the rules of the  
35 department. A ~~((custodian))~~ person who has physical custody of a  
36 child has the same rights ~~((that a custodial parent has))~~ under this  
37 section as a parent with whom the child resides.

38 (2) The notice and finding of financial responsibility shall be  
39 served in the same manner prescribed for the service of a summons in

1 a civil action or may be served on the (~~responsible parent~~) person  
2 required to pay support by certified mail, return receipt requested.  
3 The receipt shall be prima facie evidence of service. The notice  
4 shall be served upon the (~~debtor~~) person required to pay support  
5 within sixty days from the date the state assumes responsibility for  
6 the support of the dependent child or children on whose behalf  
7 support is sought. If the notice is not served within sixty days from  
8 such date, the department shall lose the right to reimbursement of  
9 payments made after the sixty-day period and before the date of  
10 notification: PROVIDED, That if the department exercises reasonable  
11 efforts to locate the (~~debtor~~) person required to pay support and  
12 is unable to do so the entire sixty-day period is tolled until such  
13 time as the (~~debtor~~) person can be located. The notice may be  
14 served upon the (~~eustodial parent~~) person entitled to receive  
15 support who is the nonassistance applicant or public assistance  
16 recipient by first-class mail to the last known address. If the  
17 (~~eustodial parent~~) person entitled to receive support is not the  
18 nonassistance applicant or public assistance recipient, service shall  
19 be in the same manner as for the (~~responsible parent~~) person  
20 required to pay support.

21 (3) The notice and finding of financial responsibility shall set  
22 forth the amount the department has determined the (~~responsible~~  
23 ~~parent~~) person required to pay support owes, the support debt  
24 accrued and/or accruing, and periodic payments to be made in the  
25 future. The notice and finding shall also include:

26 (a) A statement of the name of the (~~eustodial parent~~) person  
27 entitled to receive support and the name of the child or children for  
28 whom support is sought;

29 (b) A statement of the amount of periodic future support payments  
30 as to which financial responsibility is alleged;

31 (c) A statement that the (~~responsible parent~~) person required  
32 to pay support or (~~eustodial parent~~) the person entitled to receive  
33 support may object to all or any part of the notice and finding, and  
34 file an application for an adjudicative proceeding to show cause why  
35 the terms set forth in the notice should not be ordered;

36 (d) A statement that, if neither the (~~responsible parent~~)  
37 person required to pay support nor the (~~eustodial parent~~) person  
38 entitled to receive support files in a timely fashion an application  
39 for an adjudicative proceeding, the support debt and payments stated  
40 in the notice and finding, including periodic support payments in the

1 future, shall be assessed and determined and ordered by the  
2 department and that this debt and amounts due under the notice shall  
3 be subject to collection action;

4 (e) A statement that the property of the (~~debtor~~) person  
5 required to pay support, without further advance notice or hearing,  
6 will be subject to lien and foreclosure, distraint, seizure and sale,  
7 order to withhold and deliver, notice of payroll deduction or other  
8 collection action to satisfy the debt and enforce the support  
9 obligation established under the notice;

10 (f) A statement that (~~one or both parents~~) the person required  
11 to pay support, and the payee under the order or the person entitled  
12 to receive support who is a parent of the child or children covered  
13 by the order, are responsible for either:

14 (i) Providing health care coverage for the child if accessible  
15 coverage that can cover the child:

16 (A) Is available through health insurance or public health care  
17 coverage; or

18 (B) Is or becomes available to the (~~parent~~) obligated person  
19 through that (~~parent's~~) person's employment or union; or

20 (ii) Paying a monthly payment toward the premium if no such  
21 coverage is available, as provided under RCW 26.09.105; and

22 (g) A statement that the support obligation under the order may  
23 be abated to ten dollars per month per order as provided in section 4  
24 of this act if the person required to pay support is confined in a  
25 jail, prison, or correctional facility for at least six months, or is  
26 serving a sentence greater than six months in a jail, prison, or  
27 correctional facility.

28 (4) A (~~responsible parent~~) person required to pay support or  
29 (~~eustodial parent~~) a person entitled to receive support who objects  
30 to the notice and finding of financial responsibility may file an  
31 application for an adjudicative proceeding within twenty days of the  
32 date of service of the notice or thereafter as provided under this  
33 subsection.

34 (a) If the (~~responsible parent~~) person required to pay support  
35 or (~~eustodial parent~~) the person entitled to receive support files  
36 the application within twenty days, the office of administrative  
37 hearings shall schedule an adjudicative proceeding to hear the  
38 (~~parent's~~) party's or (~~parents'~~) parties' objection and determine  
39 the support obligation for the entire period covered by the notice  
40 and finding of financial responsibility. The filing of the

1 application stays collection action pending the entry of a final  
2 administrative order;

3 (b) If both the (~~responsible parent~~) person required to pay  
4 support and the (~~eustodial parent~~) person entitled to receive  
5 support fail to file an application within twenty days, the notice  
6 and finding shall become a final administrative order. The amounts  
7 for current and future support and the support debt stated in the  
8 notice are final and subject to collection, except as provided under  
9 (c) and (d) of this subsection;

10 (c) If the (~~responsible parent~~) person required to pay support  
11 or (~~eustodial parent~~) the person entitled to receive support files  
12 the application more than twenty days after, but within one year of  
13 the date of service, the office of administrative hearings shall  
14 schedule an adjudicative proceeding to hear the (~~parent's~~) party's  
15 or (~~parents'~~) parties' objection and determine the support  
16 obligation for the entire period covered by the notice and finding of  
17 financial responsibility. The filing of the application does not stay  
18 further collection action, pending the entry of a final  
19 administrative order, and does not affect any prior collection  
20 action;

21 (d) If the (~~responsible parent~~) person required to pay support  
22 or (~~eustodial parent~~) the person entitled to receive support files  
23 the application more than one year after the date of service, the  
24 office of administrative hearings shall schedule an adjudicative  
25 proceeding at which the (~~parent~~) party who requested the late  
26 hearing must show good cause for failure to file a timely  
27 application. The filing of the application does not stay future  
28 collection action and does not affect prior collection action:

29 (i) If the presiding officer finds that good cause exists, the  
30 presiding officer shall proceed to hear the (~~parent's~~) party's  
31 objection to the notice and determine the support obligation;

32 (ii) If the presiding officer finds that good cause does not  
33 exist, the presiding officer shall treat the application as a  
34 petition for prospective modification of the amount for current and  
35 future support established under the notice and finding. In the  
36 modification proceeding, the presiding officer shall set current and  
37 future support under chapter 26.19 RCW. The petitioning (~~parent~~)  
38 party need show neither good cause nor a substantial change of  
39 circumstances to justify modification of current and future support;

1 (e) If the (~~responsible parent's~~) support obligation was based  
2 upon imputed median net income, the grant standard, or the family  
3 need standard, the division of child support may file an application  
4 for adjudicative proceeding more than twenty days after the date of  
5 service of the notice. The office of administrative hearings shall  
6 schedule an adjudicative proceeding and provide notice of the hearing  
7 to the (~~responsible parent~~) person required to pay support and the  
8 (~~eustodial parent~~) person entitled to receive support. The  
9 presiding officer shall determine the support obligation for the  
10 entire period covered by the notice, based upon credible evidence  
11 presented by the division of child support, the (~~responsible~~  
12 ~~parent~~) person required to pay support, or the (~~eustodial parent~~)  
13 person entitled to receive support, or may determine that the support  
14 obligation set forth in the notice is correct. The division of child  
15 support demonstrates good cause by showing that the (~~responsible~~  
16 ~~parent's~~) support obligation was based upon imputed median net  
17 income, the grant standard, or the family need standard. The filing  
18 of the application by the division of child support does not stay  
19 further collection action, pending the entry of a final  
20 administrative order, and does not affect any prior collection  
21 action.

22 (f) The department shall retain and/or shall not refund support  
23 money collected more than twenty days after the date of service of  
24 the notice. Money withheld as the result of collection action shall  
25 be delivered to the department. The department shall distribute such  
26 money, as provided in published rules.

27 (5) If an application for an adjudicative proceeding is filed,  
28 the presiding or reviewing officer shall determine the past liability  
29 and responsibility, if any, of the (~~alleged responsible parent~~)  
30 person required to pay support and shall also determine the amount of  
31 periodic payments to be made in the future, which amount is not  
32 limited by the amount of any public assistance payment made to or for  
33 the benefit of the child. If deviating from the child support  
34 schedule in making these determinations, the presiding or reviewing  
35 officer shall apply the standards contained in the child support  
36 schedule and enter written findings of fact supporting the deviation.

37 (6) If either the (~~responsible parent~~) person required to pay  
38 support or the (~~eustodial parent~~) person entitled to receive  
39 support fails to attend or participate in the hearing or other stage  
40 of an adjudicative proceeding, upon a showing of valid service, the



1 presiding officer shall enter an order of default against each party  
2 who did not appear and may enter an administrative order declaring  
3 the support debt and payment provisions stated in the notice and  
4 finding of financial responsibility to be assessed and determined and  
5 subject to collection action. The parties who appear may enter an  
6 agreed settlement or consent order, which may be different than the  
7 terms of the department's notice. Any party who appears may choose to  
8 proceed to the hearing, after the conclusion of which the presiding  
9 officer or reviewing officer may enter an order that is different  
10 than the terms stated in the notice, if the obligation is supported  
11 by credible evidence presented by any party at the hearing.

12 (7) The final administrative order establishing liability and/or  
13 future periodic support payments shall be superseded upon entry of a  
14 superior court order for support to the extent the superior court  
15 order is inconsistent with the administrative order.

16 (8) Debts determined pursuant to this section, accrued and not  
17 paid, are subject to collection action under this chapter without  
18 further necessity of action by a presiding or reviewing officer.

19 (9) The department has rule-making authority to enact rules  
20 consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19)  
21 as amended by section 7307 of the deficit reduction act of 2005.  
22 Additionally, the department has rule-making authority to implement  
23 regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and  
24 308.

25 **Sec. 11.** RCW 74.20A.056 and 2019 c 148 s 38 and 2019 c 46 s 5053  
26 are each reenacted and amended to read as follows:

27 (1)(a) If an acknowledged parent has signed an acknowledgment of  
28 parentage that has been filed with the state registrar of vital  
29 statistics:

30 (i) The division of child support may serve a notice and finding  
31 of financial responsibility under RCW 74.20A.055 based on the  
32 acknowledgment. The division of child support shall attach a copy of  
33 the acknowledgment or certification of the birth record information  
34 advising of the existence of a filed acknowledgment of parentage to  
35 the notice;

36 (ii) The notice shall include a statement that the acknowledged  
37 parent or any other signatory may commence a proceeding in court to  
38 rescind or challenge the acknowledgment or denial of parentage under  
39 RCW 26.26A.235 and 26.26A.240;

1 (iii) A statement that ~~((either or both parents))~~ the person  
2 required to pay support, and the payee under the order or the person  
3 entitled to receive support who is a parent of the child or children  
4 covered by the order, are responsible for providing health care  
5 coverage for the child if accessible coverage that can be extended to  
6 cover the child is or becomes available to the ~~((parent))~~ obligated  
7 person through employment or is union-related as provided under RCW  
8 26.09.105; ~~((and))~~

9 (iv) The party commencing the action to rescind or challenge the  
10 acknowledgment or denial must serve notice on the division of child  
11 support and the office of the prosecuting attorney in the county in  
12 which the proceeding is commenced. Commencement of a proceeding to  
13 rescind or challenge the acknowledgment or denial stays the  
14 establishment of the notice and finding of financial responsibility,  
15 if the notice has not yet become a final order; and

16 (v) A statement that the support obligation under the order may  
17 be abated to ten dollars per month per order as provided in section 4  
18 of this act if the person required to pay support is confined in a  
19 jail, prison, or correctional facility for at least six months, or is  
20 -serving a sentence greater than six months in a jail, prison, or  
21 correctional facility.

22 (b) If neither ~~((the acknowledged parent nor the other))~~ party to  
23 the notice files an application for an adjudicative proceeding or the  
24 signatories to the acknowledgment or denial do not commence a  
25 proceeding to rescind or challenge the acknowledgment of parentage,  
26 the amount of support stated in the notice and finding of financial  
27 responsibility becomes final, subject only to a subsequent  
28 determination under RCW 26.26A.400 through 26.26A.515 that the  
29 parent-child relationship does not exist. The division of child  
30 support does not refund nor return any amounts collected under a  
31 notice that becomes final under this section or RCW 74.20A.055, even  
32 if a court later determines that the acknowledgment is void.

33 (c) An acknowledged parent or other party to the notice who  
34 objects to the amount of support requested in the notice may file an  
35 application for an adjudicative proceeding up to twenty days after  
36 the date the notice was served. An application for an adjudicative  
37 proceeding may be filed within one year of service of the notice and  
38 finding of parental responsibility without the necessity for a  
39 showing of good cause or upon a showing of good cause thereafter. An  
40 adjudicative proceeding under this section shall be pursuant to RCW

1 74.20A.055. The only issues shall be the amount of the accrued debt  
2 and the amount of the current and future support obligation.

3 (i) If the application for an adjudicative proceeding is filed  
4 within twenty days of service of the notice, collection action shall  
5 be stayed pending a final decision by the department.

6 (ii) If the application for an adjudicative proceeding is not  
7 filed within twenty days of the service of the notice, any amounts  
8 collected under the notice shall be neither refunded nor returned if  
9 the ~~((alleged genetic parent))~~ person required to pay support under  
10 the notice is later found not to be ~~((a responsible parent))~~ required  
11 to pay support.

12 (d) If neither the acknowledged parent nor the ~~((custodial~~  
13 ~~parent))~~ person entitled to receive support requests an adjudicative  
14 proceeding, or if no timely action is brought to rescind or challenge  
15 the acknowledgment or denial after service of the notice, the notice  
16 of financial responsibility becomes final for all intents and  
17 purposes and may be overturned only by a subsequent superior court  
18 order entered under RCW 26.26A.400 through 26.26A.515.

19 (2) Acknowledgments of parentage are subject to requirements of  
20 chapters 26.26A, 26.26B, and 70.58A RCW.

21 (3) The department and the department of health may adopt rules  
22 to implement the requirements under this section.

23 (4) The department has rule-making authority to enact rules  
24 consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19)  
25 as amended by section 7307 of the deficit reduction act of 2005.  
26 Additionally, the department has rule-making authority to implement  
27 regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and  
28 308.

29 **Sec. 12.** RCW 74.20A.059 and 2019 c 275 s 3 are each amended to  
30 read as follows:

31 (1) The department, the ~~((physical custodian))~~ payee under the  
32 order or the person entitled to receive support, or the ~~((responsible~~  
33 ~~parent))~~ person required to pay support may petition for a  
34 prospective modification of a final administrative order if:

35 (a) The administrative order has not been superseded by a  
36 superior court order; and

37 (b) There has been a substantial change of circumstances, except  
38 as provided under RCW 74.20A.055(4)(d) or subsection (2) of this  
39 section.

1       (2) The department, the person entitled to receive support, the  
2 payee under the order, or the person required to pay support may  
3 petition for a prospective modification of a final administrative  
4 order if the person required to pay support is currently confined in  
5 a jail, prison, or correctional facility for at least six months or  
6 is serving a sentence greater than six months in a jail, prison, or  
7 correctional facility, and the support order does not contain  
8 language regarding abatement due to incarceration.

9       (a) The petition may be filed at any time after the  
10 administrative support order became a final order, as long as the  
11 person required to pay support is currently incarcerated.

12       (b) As part of the petition for modification, the petitioner may  
13 also request that the support obligation be abated to ten dollars per  
14 month per order due to incarceration, as provided in section 4 of  
15 this act.

16       (3) An order of child support may be modified at any time without  
17 a showing of substantially changed circumstances if incarceration of  
18 the ((parent who is obligated)) person required to pay support is the  
19 basis for the inconsistency between the existing child support order  
20 amount and the amount of support determined as a result of a review.

21       ((+3)) (4) An order of child support may be modified one year or  
22 more after it has been entered without showing a substantial change  
23 of circumstances:

24       (a) If the order in practice works a severe economic hardship on  
25 either party or the child; or

26       (b) If a child is a full-time student and reasonably expected to  
27 complete secondary school or the equivalent level of vocational or  
28 technical training before the child becomes nineteen years of age  
29 upon a finding that there is a need to extend support beyond the  
30 eighteenth birthday.

31       ((+4)) (5) An order may be modified without showing a  
32 substantial change of circumstances if the requested modification is  
33 to:

34       (a) Require medical support under RCW 26.09.105 for a child  
35 covered by the order; ((+))

36       (b) Modify an existing order for health care coverage; or

37       (c) Modify an existing order when the person required to pay  
38 support has been released from incarceration, as provided in section  
39 4(3)(d) of this act.

1       ~~((5))~~ (6) Support orders may be adjusted once every twenty-four  
2 months based upon changes in the income of the ~~((parents))~~ parties to  
3 the order without a showing of substantially changed circumstances.  
4 This provision does not mean that the income of a person entitled to  
5 receive support who is not a parent of the child or children covered  
6 by the order must be disclosed or be included in the calculations  
7 under chapter 26.19 RCW when determining the support obligation.

8       ~~((6))~~ (7)(a) All administrative orders entered on, before, or  
9 after September 1, 1991, may be modified based upon changes in the  
10 child support schedule established in chapter 26.19 RCW without a  
11 substantial change of circumstances. The petition may be filed based  
12 on changes in the child support schedule after twelve months has  
13 expired from the entry of the administrative order or the most recent  
14 modification order setting child support, whichever is later.  
15 However, if a party is granted relief under this provision, twenty-  
16 four months must pass before another petition for modification may be  
17 filed pursuant to subsection ~~((5))~~ (6) of this section.

18       (b) If, pursuant to subsection ~~((5))~~ (6) of this section or (a)  
19 of this subsection, the order modifies a child support obligation by  
20 more than thirty percent and the change would cause significant  
21 hardship, the change may be implemented in two equal increments, one  
22 at the time of the entry of the order and the second six months from  
23 the entry of the order. Twenty-four months must pass following the  
24 second change before a petition for modification under subsection  
25 ~~((5))~~ (6) of this section may be filed.

26       ~~((7))~~ (8) An increase in the wage or salary of the ~~((parent or~~  
27 ~~custodian who is receiving))~~ person entitled to receive the support  
28 transfer payments is not a substantial change in circumstances for  
29 purposes of modification under subsection (1)(b) of this section.  
30 ~~((An obligor's))~~ The voluntary unemployment or voluntary  
31 underemployment of the person required to pay support, by itself, is  
32 not a substantial change of circumstances. The income of the person  
33 entitled to receive support is only disclosed or considered if that  
34 person is a parent of the child or children covered by the order.

35       ~~((8))~~ (9) The department shall file the petition and a  
36 supporting affidavit with the ~~((secretary or the secretary's~~  
37 ~~designee))~~ office of administrative hearings when the department  
38 petitions for modification.

39       ~~((9))~~ (10) The ~~((responsible parent))~~ person required to pay  
40 support or the ((physical custodian)) payee under the order or the

1 person entitled to receive support shall follow the procedures in  
2 this chapter for filing an application for an adjudicative proceeding  
3 to petition for modification.

4 ~~((10))~~ (11) Upon the filing of a proper petition or  
5 application, the ~~((secretary or the secretary's designee))~~ office of  
6 administrative hearings shall issue an order directing each party to  
7 appear and show cause why the order should not be modified.

8 ~~((11))~~ (12) If the presiding or reviewing officer finds a  
9 modification is appropriate, the officer shall modify the order and  
10 set current and future support under chapter 26.19 RCW.

11 **Sec. 13.** RCW 26.09.170 and 2019 c 275 s 2 are each amended to  
12 read as follows:

13 (1) Except as otherwise provided in RCW 26.09.070(7), the  
14 provisions of any decree respecting maintenance or support may be  
15 modified: (a) Only as to installments accruing subsequent to the  
16 petition for modification or motion for adjustment except motions to  
17 compel court-ordered adjustments, which shall be effective as of the  
18 first date specified in the decree for implementing the adjustment;  
19 and, (b) except as otherwise provided in this section, only upon a  
20 showing of a substantial change of circumstances. The provisions as  
21 to property disposition may not be revoked or modified, unless the  
22 court finds the existence of conditions that justify the reopening of  
23 a judgment under the laws of this state.

24 (2) Unless otherwise agreed in writing or expressly provided in  
25 the decree the obligation to pay future maintenance is terminated  
26 upon the death of either party or the remarriage of the party  
27 receiving maintenance or registration of a new domestic partnership  
28 of the party receiving maintenance.

29 (3) Unless otherwise agreed in writing or expressly provided in  
30 the decree, provisions for the support of a child are terminated by  
31 emancipation of the child or by the death of the ~~((parent obligated~~  
32 ~~to))~~ person required to pay support for the child.

33 (4) Unless expressly provided by an order of the superior court  
34 or a court of comparable jurisdiction, provisions for the support of  
35 a child are terminated upon the marriage or registration of a  
36 domestic partnership to each other of parties to a paternity or  
37 parentage order, or upon the remarriage or registration of a domestic  
38 partnership to each other of parties to a decree of dissolution. The

1 remaining provisions of the order, including provisions establishing  
2 (~~paternity~~) parentage, remain in effect.

3 (5) (a) A party to an order of child support may petition for a  
4 modification based upon a showing of substantially changed  
5 circumstances at any time.

6 (b) (~~An obligor's~~) The voluntary unemployment or voluntary  
7 underemployment of the person required to pay support, by itself, is  
8 not a substantial change of circumstances.

9 (6) An order of child support may be modified at any time to add  
10 language regarding abatement to ten dollars per month per order due  
11 to the incarceration of the person required to pay support, as  
12 provided in section 4 of this act.

13 (a) The department of social and health services, the person  
14 entitled to receive support or the payee under the order, or the  
15 person required to pay support may petition for a prospective  
16 modification of a child support order if the person required to pay  
17 support is currently confined in a jail, prison, or correctional  
18 facility for at least six months or is serving a sentence greater  
19 than six months in a jail, prison, or correctional facility, and the  
20 support order does not contain language regarding abatement due to  
21 incarceration.

22 (b) The petition may only be filed if the person required to pay  
23 support is currently incarcerated.

24 (c) As part of the petition for modification, the petitioner may  
25 also request that the support obligation be abated to ten dollars per  
26 month per order due to incarceration, as provided in section 4 of  
27 this act.

28 (7) An order of child support may be modified without showing a  
29 substantial change of circumstances if the requested modification is  
30 to modify an existing order when the person required to pay support  
31 has been released from incarceration, as provided in section 4(3)(d)  
32 of this act.

33 (8) An order of child support may be modified one year or more  
34 after it has been entered without a showing of substantially changed  
35 circumstances:

36 (a) If the order in practice works a severe economic hardship on  
37 either party or the child;

38 (b) If a child is still in high school, upon a finding that there  
39 is a need to extend support beyond the eighteenth birthday to  
40 complete high school; or

1 (c) To add an automatic adjustment of support provision  
2 consistent with RCW 26.09.100.

3 ~~((7))~~ (9)(a) If twenty-four months have passed from the date of  
4 the entry of the order or the last adjustment or modification,  
5 whichever is later, the order may be adjusted without a showing of  
6 substantially changed circumstances based upon:

7 (i) Changes in the income of the ~~((parents))~~ person required to  
8 pay support, or of the payee under the order or the person entitled  
9 to receive support who is a parent of the child or children covered  
10 by the order; or

11 (ii) Changes in the economic table or standards in chapter 26.19  
12 RCW.

13 (b) Either party may initiate the adjustment by filing a motion  
14 and child support worksheets.

15 (c) If the court adjusts or modifies a child support obligation  
16 pursuant to this subsection by more than thirty percent and the  
17 change would cause significant hardship, the court may implement the  
18 change in two equal increments, one at the time of the entry of the  
19 order and the second six months from the entry of the order. Twenty-  
20 four months must pass following the second change before a motion for  
21 another adjustment under this subsection may be filed.

22 ~~((8))~~ (10)(a) The department of social and health services may  
23 file an action to modify or adjust an order of child support if  
24 public assistance money is being paid to or for the benefit of the  
25 child and the department has determined that the child support order  
26 is at least fifteen percent above or below the appropriate child  
27 support amount set forth in the standard calculation as defined in  
28 RCW 26.19.011.

29 (b) The department of social and health services may file an  
30 action to modify or adjust an order of child support in a  
31 nonassistance case if:

32 (i) The department has determined that the child support order is  
33 at least fifteen percent above or below the appropriate child support  
34 amount set forth in the standard calculation as defined in RCW  
35 26.19.011;

36 (ii) The department has determined the case meets the  
37 department's review criteria; and

38 (iii) A party to the order or another state or jurisdiction has  
39 requested a review.



1 (c) If incarceration of the (~~parent who is obligated~~) person  
2 required to pay support is the basis for the difference between the  
3 existing child support order amount and the proposed amount of  
4 support determined as a result of a review, the department may file  
5 an action to modify or adjust an order of child support even if:

6 (i) There is no other change of circumstances; and

7 (ii) The change in support does not meet the fifteen percent  
8 threshold.

9 (d) The determination of whether the child support order is at  
10 least fifteen percent above or below the appropriate child support  
11 amount must be based on the current income of the parties.

12 (~~(9)~~) (11) The department of social and health services may  
13 file an action to modify or adjust an order of child support under  
14 subsections (5) through (~~(7)~~) (9) of this section if:

15 (a) Public assistance money is being paid to or for the benefit  
16 of the child;

17 (b) A party to the order in a nonassistance case has requested a  
18 review; or

19 (c) Another state or jurisdiction has requested a modification of  
20 the order.

21 (~~(10)~~) (12) If testimony other than affidavit is required in  
22 any proceeding under this section, a court of this state shall permit  
23 a party or witness to be deposed or to testify under penalty of  
24 perjury by telephone, audiovisual means, or other electronic means,  
25 unless good cause is shown.

26 NEW SECTION. **Sec. 14.** A new section is added to chapter 26.09  
27 RCW to read as follows:

28 The department is granted rule-making authority to adopt rules  
29 necessary for the implementation of this act.

30 **Sec. 15.** RCW 26.23.110 and 2009 c 476 s 5 are each amended to  
31 read as follows:

32 (1) The department may serve a notice of support owed (~~on a~~  
33 ~~responsible parent~~) when a child support order:

34 (a) Does not state the current and future support obligation as a  
35 fixed dollar amount;

36 (b) Contains an escalation clause or adjustment provision for  
37 which additional information not contained in the support order is  
38 needed to determine the fixed dollar amount of the support debt or

1 the fixed dollar amount of the current and future support obligation,  
2 or both; (~~or~~)

3 (c) Provides that the person required by the order to make the  
4 transfer payment must pay a portion of child care or day care  
5 expenses for a child or children covered by the order; or

6 (d) Provides that (~~the responsible parent is responsible for~~  
7 paying)) either the person required to pay support or the person  
8 entitled to receive support, or both, are obligated to pay for a  
9 portion of uninsured medical costs, copayments, and/or deductibles  
10 incurred on behalf of the child or children covered by the order, but  
11 does not reduce the costs to a fixed dollar amount.

12 (2) The department may serve a notice of support owed for day  
13 care or child care on the person required by the order to make the  
14 transfer payment when:

15 (a) The underlying support order requires that person to pay his  
16 or her proportionate share of day care or child care costs directly  
17 to the person entitled to receive support; or

18 (b) The person entitled to receive support is seeking  
19 reimbursement because he or she has paid the share of day care or  
20 child care costs owed by the person required by the order to make the  
21 transfer payment.

22 (3) The department may serve a notice of support owed for medical  
23 support on (~~a parent who has been designated to pay per a~~) any  
24 person obligated by a child support order to provide medical support  
25 for the child or children covered by the order. There are two  
26 different types of medical support obligations:

27 (a) Health care coverage: The department may serve a notice of  
28 support owed to determine an obligated person's monthly payment  
29 toward the premium as defined in RCW 26.09.105, if the support order  
30 does not set a fixed dollar amount for the monthly payment toward the  
31 premium.

32 (b) Uninsured medical expenses: The department may serve a notice  
33 of support owed on any person who is obligated to pay a portion of  
34 uninsured medical costs, copayments, or deductibles incurred on  
35 behalf of the child or children covered by the order, (~~but only~~)  
36 when the support order does not reduce the costs to a fixed dollar  
37 amount.

38 ~~((3) The department may serve a notice of support owed to~~  
39 ~~determine a parent's monthly payment toward the premium as defined in~~  
40 ~~RCW 26.09.105, if the support order does not set a fixed dollar~~

1 ~~amount for the monthly payment toward the premium.)~~ (i) The notice  
2 of support owed may be served for purposes of reimbursing a person  
3 who has paid the share of uninsured medical expenses owed by any  
4 person obligated to contribute to those costs;

5 (ii) The notice of support owed may be served to establish a  
6 monthly amount to be paid by a person obligated to contribute to  
7 uninsured medical expenses when the underlying support order requires  
8 that person to pay his or her proportionate share of uninsured  
9 medical expenses directly to another party to the order; or

10 (iii) The notice of support owed may be served for both purposes  
11 listed in this subsection.

12 (4) The notice of support owed (~~shall~~) is intended to  
13 facilitate enforcement of the support order and implement and  
14 effectuate the terms of the support order, rather than modify those  
15 terms. When the (~~office of support enforcement~~) department issues a  
16 notice of support owed, the (~~office shall~~) department must inform  
17 the payee under the support order.

18 (5) Service of the notice of support owed (~~shall~~) must be as  
19 follows:

20 (a) An initial notice of support owed must be served on ((a  
21 responsible parent)) the person required by the order to pay support  
22 or contribute to costs by personal service or any form of mailing  
23 requiring a return receipt. (~~The notice shall be served on the~~  
24 applicant or recipient of services by first-class mail to the last  
25 known address.)) The initial notice may be served on the person who  
26 is entitled to receive the support covered by the notice, as well as  
27 the payee under the order if appropriate, by regular mail.

28 (b) A notice of support owed created for purposes of reviewing an  
29 ongoing support obligation established by a prior notice of support  
30 owed may be served on the person required by the order to pay support  
31 or contribute to costs by regular mail to that person's last known  
32 address.

33 (c) An initial notice of support owed, as well as any notice  
34 created for purposes of reviewing an ongoing support obligation  
35 established by a prior notice of support owed may be served on the  
36 person entitled to receive the support by regular mail to that  
37 person's last known address.

38 (6) The notice of support owed (~~shall~~) must contain:

1        (a) An initial finding of the fixed dollar amount of current and  
2 future support obligation that should be paid or the fixed dollar  
3 amount of the support debt owed under the support order, or both; and

4        (b) A statement that any subsequent notice of support owed  
5 created for purposes of reviewing the amounts established by the  
6 current notice may be served on any party to the order by regular  
7 mail to that person's last known address.

8        ~~((+6))~~ (7) A ~~((parent))~~ person who objects to the fixed dollar  
9 amounts stated in the notice of support owed has twenty days from the  
10 date of the service of the notice of support owed to file an  
11 application for an adjudicative proceeding or initiate an action in  
12 superior court.

13        ~~((+7))~~ (8) The notice of support owed ~~((shall))~~ must state that  
14 the ~~((parent))~~ person may:

15        (a) File an application for an adjudicative proceeding governed  
16 by chapter 34.05 RCW, the administrative procedure act, in which the  
17 ~~((parent))~~ person will be required to appear and show cause why the  
18 fixed dollar amount of support debt or current and future support  
19 obligation, or both, stated in the notice of support owed is  
20 incorrect and should not be ordered; or

21        (b) Initiate an action in superior court.

22        ~~((+8))~~ (9) If ~~((either parent does not file))~~ no person included  
23 in the notice files an application for an adjudicative proceeding or  
24 ~~((initiate))~~ initiates an action in superior court, the fixed dollar  
25 amount of current and future support obligation or support debt, or  
26 both, stated in the notice of support owed ~~((shall become))~~ becomes  
27 final and subject to collection action.

28        ~~((+9))~~ (10) If an adjudicative proceeding is requested, the  
29 ~~((department shall mail a copy of the notice of adjudicative~~  
30 ~~proceeding to the parties))~~ office of administrative hearings must  
31 schedule a hearing. All persons included in the notice are entitled  
32 to participate in the hearing with full party rights.

33        ~~((+10))~~ (11) If ~~((either parent does not initiate))~~ no person  
34 included in the notice initiates an action in superior court, and  
35 ~~((serve))~~ serves notice of the action on the department and the other  
36 party to the support order within the twenty-day period, ~~((the parent~~  
37 ~~shall))~~ all persons included in the notice must be deemed to have  
38 made an election of remedies and ~~((shall be required to))~~ must  
39 exhaust administrative remedies under this chapter with judicial  
40 review available as provided for in RCW 34.05.510 through 34.05.598.

1       (~~(11)~~) (12) An (adjudicative) administrative order entered in  
2 accordance with this section (~~shall~~) must state:

3       (a) The basis, rationale, or formula upon which the fixed dollar  
4 amounts established in the (adjudicative) order were based(~~-~~);

5       (b) The fixed dollar amount of current and future support  
6 obligation or the amount of the support debt, or both, determined  
7 under this section (~~shall be~~) is subject to collection under this  
8 chapter and other applicable state statutes; and

9       (c) That any subsequent notice of support owed created for  
10 purposes of reviewing the amounts established by the current notice  
11 may be served on any party to the order by regular mail to that  
12 person's last known address.

13       (~~(12)~~) (13) The department (~~shall~~) must also provide for:

14       (a) An annual review of the support order if (~~either~~) the  
15 (~~office of support enforcement~~) department, the person required to  
16 pay support, the payee under the order, or the (~~parent~~) person  
17 entitled to receive support requests such a review; and

18       (b) A late (~~adjudicative proceeding~~) hearing if (~~the parent~~)  
19 a person included in the notice fails to file an application for an  
20 adjudicative proceeding in a timely manner under this section.

21       (~~(13)~~) (14) If an annual review (~~or late adjudicative~~  
22 proceeding) is requested under subsection (~~(12)~~) (13) of this  
23 section, the department (~~shall mail~~) may serve the notice of annual  
24 review of the administrative order based on the prior notice of  
25 support owed by mailing a copy of the notice (~~of adjudicative~~  
26 proceeding) by regular mail to the (~~parties'~~) last known address  
27 of all parties to the order.

28       (~~(14)~~) (15) If one of the parties requests a late hearing under  
29 subsection (13) of this section, the office of administrative  
30 hearings must schedule an adjudicative proceeding.

31       (16) An annual review under subsection (13) of this section is  
32 used to determine whether the expense remained the same, increased or  
33 decreased, and whether there is a discrepancy between the actual  
34 expense and the amount determined under the prior notice of support  
35 owed.

36       (a) If a change in the actual expense which was the basis for the  
37 most recent notice of support owed occurs before twelve months pass,  
38 any party to the order may request that the department accelerate the  
39 annual review described in subsection (13) of this section.

1 (b) The department may review any evidence presented by the  
2 person claiming that the expense has occurred and determine whether  
3 the change is likely to create a significant overpayment or  
4 underpayment if the department does not serve a new notice of support  
5 owed.

6 (c) Under appropriate circumstances, the department may  
7 accelerate the time for the review and serve a notice of support owed  
8 even if twelve months have not passed.

9 (17) The department has rule-making authority to:

10 (a) Enact rules consistent with 42 U.S.C. Sec. 652(f) and 42  
11 U.S.C. Sec. 666(a)(19) as amended by section 7307 of the deficit  
12 reduction act of 2005 (~~Additionally, the department has rule-making~~  
13 authority ~~to~~);

14 (b) Implement regulations required under 45 C.F.R. Parts 302,  
15 303, 304, 305, and 308; and

16 (c) Implement the provisions of this section.

17 NEW SECTION. Sec. 16. Sections 3 through 13 of this act take  
18 effect February 1, 2021."

**SHB 2302** - S COMM AMD

By Committee on Ways & Means

**ADOPTED 03/06/2020**

19 On page 1, line 4 of the title, after "owed;" strike the  
20 remainder of the title and insert "amending RCW 26.19.011, 26.19.071,  
21 26.23.050, 74.20A.055, 74.20A.059, 26.09.170, and 26.23.110;  
22 reenacting and amending RCW 74.20A.056; adding new sections to  
23 chapter 26.09 RCW; creating a new section; and providing an effective  
24 date."

EFFECT: Provides a goal of ensuring the person required to pay support makes the maximum child support monthly payment as appropriate to comply with an order for child support.

Automatically terminates the fifty percent reinstatement of the support amount and automatically reinstates the support amount at one hundred percent, effective one year after a person is released from confinement.

Removes the provision requiring mandatory review of the support order of a formerly incarcerated person required to pay support if

the department receives information from employer new hire reports or other sources that the person has become employed.

--- **END** ---