
HOUSE BILL 2824

State of Washington 54th Legislature 1996 Regular Session

By Representatives Patterson, Costa, Dickerson and Regala

Read first time 01/22/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to support enforcement; amending RCW 74.20A.020,
2 46.20.291, 46.20.311, 18.04.105, 18.04.335, 18.08.350, 18.08.350,
3 18.11.160, 18.16.100, 18.27.030, 18.27.060, 18.28.060, 18.39.181,
4 18.46.050, 18.51.054, 18.96.120, 18.96.150, 18.104.110, 18.106.070,
5 18.130.050, 18.130.120, 18.130.150, 18.160.080, 18.165.160, 18.170.170,
6 43.20A.205, 43.70.115, and 26.23.050; reenacting and amending RCW
7 46.20.021 and 18.145.080; adding new sections to chapter 74.20A RCW;
8 adding a new section to chapter 2.48 RCW; adding a new section to
9 chapter 18.04 RCW; adding a new section to chapter 18.08 RCW; adding a
10 new section to chapter 18.16 RCW; adding a new section to chapter 18.20
11 RCW; adding a new section to chapter 18.28 RCW; adding a new section to
12 chapter 18.39 RCW; adding a new section to chapter 18.43 RCW; adding a
13 new section to chapter 18.44 RCW; adding a new section to chapter 18.51
14 RCW; adding a new section to chapter 18.76 RCW; adding a new section to
15 chapter 18.85 RCW; adding a new section to chapter 18.96 RCW; adding a
16 new section to chapter 18.104 RCW; adding a new section to chapter
17 18.106 RCW; adding a new section to chapter 18.130 RCW; adding a new
18 section to chapter 18.140 RCW; adding a new section to chapter 18.145
19 RCW; adding a new section to chapter 18.165 RCW; adding a new section
20 to chapter 18.170 RCW; adding a new section to chapter 18.175 RCW;
21 adding a new section to chapter 18.185 RCW; adding a new section to

1 chapter 28A.410 RCW; adding a new section to chapter 26.18 RCW; adding
2 a new section to chapter 26.09 RCW; adding a new section to chapter
3 26.26 RCW; creating new sections; prescribing penalties; and providing
4 effective dates.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (12) "Licensing entity" means any department, board, bureau,
12 commission, committee, regulatory entity or agency, or other licensor
13 authorized to issue, renew, suspend, or revoke a license authorizing an
14 individual to engage in a business, occupation, profession, industry,
15 or licensed recreational activity, or to drive a motor vehicle. It
16 also means the Washington state bar association's board of governors
17 and the Washington supreme court.

18 (13) "Noncompliance with a support order" means a responsible
19 parent has:

20 (a) Accumulated a support debt totaling more than six months of
21 monthly support payments; or

22 (b) Failed to make payments pursuant to a written agreement with
23 the department towards a support debt in an amount that exceeds six
24 months of payments; or

25 (c) Failed to make payments required by a superior court order if
26 required by a support order or administrative order towards a support
27 debt in an amount that exceeds six months of payments; or

28 (d) Failed to obtain or maintain health insurance as defined in RCW
29 26.18.020.

30 (14) "License" means a license, certificate, registration, permit,
31 approval, or other similar document issued by a licensing entity
32 evidencing admission to or granting authority to engage in a
33 profession, occupation, business, industry, or recreational activity,
34 or a valid driver's license to operate a motor vehicle within the state
35 of Washington under chapter 46.20 RCW, and a vehicle license issued
36 under chapter 46.16 RCW.

37 (15) "Licensee" means any individual holding a license,
38 certificate, registration, permit, approval, or other similar document
39 issued by a licensing entity evidencing admission to or granting

1 authority to engage in a profession, occupation, business, industry,
2 recreational activity, or to drive a motor vehicle.

3 (16) "Support order" means a superior court order or administrative
4 order.

5 NEW SECTION. Sec. 3. A new section is added to chapter 74.20A RCW
6 to read as follows:

7 (1) Except as provided in subsection (2) of this section, the
8 department may serve upon a responsible parent a notice informing the
9 responsible parent of the department's intent to submit the parent's
10 name to any appropriate licensing entity as a licensee who is not in
11 compliance with a support order. The department must attach a copy of
12 the responsible parent's support order to the notice. Service of the
13 notice must be made by certified mail, return receipt requested, or by
14 personal service.

15 (2) The department shall not issue a notice of noncompliance with
16 a support order under this section when the department can withhold the
17 responsible parent's earnings under RCW 26.23.060 in an amount
18 sufficient to ensure the payment of current support and a reasonable
19 amount towards the support debt.

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

23 (a) The parent may request an adjudicative proceeding to contest
24 the issue of noncompliance. The only issues that may be considered at
25 the adjudicative proceeding are whether the parent is required to pay
26 a support obligation under a support order and whether the parent is in
27 compliance with that order;

28 (b) A request for an adjudicative proceeding must be in writing and
29 must be received by the department within twenty days of the date of
30 service of the notice;

31 (c) If the parent requests an adjudicative proceeding within twenty
32 days of service, the department must stay the action to certify the
33 parent to all appropriate licensing entities for noncompliance with a
34 support order pending entry of a written decision after the
35 adjudicative proceeding;

36 (d) If the parent does not request an adjudicative proceeding
37 within twenty days of service and remains in noncompliance with a

1 support order, the department will certify the parent's name to any
2 appropriate licensing entity for noncompliance with a support order;

3 (e) The department must stay action to certify the parent to any
4 appropriate licensing entity for noncompliance if the parent agrees to
5 make timely payments of current support and agrees to a reasonable
6 payment schedule for payment of the support debt. It is the parent's
7 responsibility to contact in person or by mail the department's
8 division of child support office indicated on the notice within twenty
9 days of service of the notice to arrange for a payment schedule. The
10 department may stay certification for up to thirty days after contact
11 from a parent to arrange for a payment schedule;

12 (f) If the department certifies the responsible parent to a
13 licensing entity for noncompliance with a support order, the licensing
14 entity must suspend the parent's license until the parent provides the
15 licensing entity with a written release from the department stating
16 that the responsible parent is in compliance with the support order;

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

20 (h) If after receiving the notice of noncompliance with a support
21 order, the responsible parent files a motion to modify support with the
22 court or requests the department to amend a support obligation or debt
23 established by an administrative decision, the department or the court
24 may, for up to one hundred eighty days, stay action to certify the
25 parent to any licensing entity for noncompliance with a support order.
26 If a motion for modification of a court or administrative order for a
27 support obligation is pending before service of the notice, any action
28 to certify the parent to a licensing entity for noncompliance with a
29 support order must be automatically stayed until entry of a final order
30 or decision in the modification proceedings. The responsible parent
31 has the obligation to notify the department that a modification
32 proceeding is pending and provide a copy of the motion or request for
33 modification; and

34 (i) If the responsible parent subsequently becomes in compliance
35 with the support order, the department must promptly provide the parent
36 with a written release stating that the parent is in compliance with
37 the order, and the parent may request that the licensing entity
38 reinstate the suspended license.

1 (4) A responsible parent may request an adjudicative proceeding
2 upon service of the notice described in subsection (3) of this section.
3 The request for an adjudicative proceeding must be received by the
4 department within twenty days of service. The request must be in
5 writing and indicate the current mailing address and daytime phone
6 number, if available, of the responsible parent. The proceedings under
7 this subsection shall be conducted in accordance with the requirements
8 of chapter 34.05 RCW. The issues that may be considered at the
9 adjudicative proceeding are limited to whether the responsible parent
10 is required to pay a support obligation or debt under a support order
11 and whether the responsible parent is in compliance with the order.

12 (5) The decision resulting from the adjudicative proceeding must be
13 in writing and inform the responsible parent of all rights to review.
14 The parent's copy of the decision may be sent by regular mail to the
15 parent's most recent address of record.

16 (6) If a responsible parent contacts the department's division of
17 child support office indicated on the notice of noncompliance within
18 twenty days of service of the notice and requests arrangement of a
19 payment schedule, the department must stay the certification of
20 noncompliance during negotiation of the schedule for payment of
21 arrears. In no event may the stay continue for more than thirty days
22 from the date of contact by the parent. The department must make good
23 faith efforts to establish a schedule for payment of the support debt
24 that is fair and reasonable, and that considers the financial situation
25 of the responsible parent and the needs of all children who rely on the
26 responsible parent for support. At the end of the thirty days, if no
27 payment schedule has been agreed to in writing, the department must
28 proceed with certification of noncompliance.

29 (7) If a responsible parent timely requests an adjudicative
30 proceeding to contest the issue of noncompliance, the department may
31 not certify the name of the parent to a licensing entity for
32 noncompliance with a support order unless the adjudicative proceeding
33 results in a finding that the responsible parent is not in compliance
34 with the order.

35 (8) The department may certify in writing to any appropriate
36 licensing entity the name of a responsible parent who is not in
37 compliance with a support order if:

38 (a) The responsible parent does not timely request an adjudicative
39 proceeding upon service of a notice issued under subsection (3) of this

1 section and is not in compliance with a support order twenty-one days
2 after service of the notice;

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

5 (c) The department and the responsible parent have been unable to
6 agree on a fair and reasonable schedule for payment of the support
7 debt; or

8 (d) The court enters a judgment on a petition for judicial review
9 that finds the responsible parent is not in compliance with a support
10 order.

11 The department must send by regular mail a copy of any
12 certification of noncompliance filed with a licensing entity to the
13 responsible parent at the responsible parent's most recent address of
14 record.

15 (9) A licensing entity shall notify a responsible parent certified
16 by the department under subsection (8) of this section, without undue
17 delay, that the parent's driver's license or other license has been
18 suspended because the parent's name has been certified by the
19 department as a responsible parent who is not in compliance with a
20 support order.

21 (10) When a responsible parent who is served notice under
22 subsection (3) of this section subsequently complies with the support
23 order, the department shall promptly provide the parent with a written
24 release stating that the responsible parent is in compliance with the
25 order.

26 (11) The department may adopt rules to implement and enforce the
27 requirements of this section.

28 (12) Nothing in this section prohibits a responsible parent from
29 filing a motion to modify support with the court or from requesting the
30 department to amend a support obligation or debt established by an
31 administrative decision. If there is a reasonable likelihood that the
32 motion or request will significantly change the amount of the support
33 debt, the department or the court may, for up to one hundred eighty
34 days, stay action to certify the responsible parent to any licensing
35 entity for noncompliance with a support order. If a motion for
36 modification of a court or administrative order for a support
37 obligation is pending before service of the notice, any action to
38 certify the parent to a licensing entity for noncompliance with a
39 support order must be automatically stayed until entry of a final order

1 or decision in the modification proceedings. The responsible parent
2 has the obligation to notify the department that a modification
3 proceeding is pending and provide a copy of the motion or request for
4 modification.

5 (13) A licensing entity may issue, renew, reinstate, or otherwise
6 extend a license in accordance with the licensing entity's rules after
7 the licensing entity receives a copy of the written release specified
8 in subsection (10) of this section. The licensing entity may waive any
9 applicable requirement for reissuance, renewal, or other extension if
10 it determines that the imposition of that requirement places an undue
11 burden on the person and that waiver of the requirement is consistent
12 with the public interest.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.20A RCW
14 to read as follows:

15 (1) The department of social and health services and all of the
16 various licensing entities subject to section 3 of this act shall enter
17 into such agreements as are necessary to carry out the requirements of
18 the license suspension program established in section 3 of this act,
19 but only to the extent the departments and the licensing entities
20 determine it is cost-effective or required by federal law.

21 (2) On or before January 1, 1997, and quarterly thereafter, the
22 department of social and health services and all licensing entities
23 subject to section 3 of this act shall perform a comparison of
24 responsible parents who are not in compliance with a support order, as
25 defined in section 3 of this act, with all licensees subject to chapter
26 . . . , Laws of 1996 (this act). The comparison may be conducted
27 electronically, or by any other means that is jointly agreeable between
28 the department and the particular licensing entity. The data shared
29 shall be limited to those items necessary to implementation of chapter
30 . . . , Laws of 1996 (this act). The purpose of the comparison shall be
31 to identify current licensees who are not in compliance with a support
32 order, and to provide to the department of social and health services
33 the following information regarding those licensees:

34 (a) Name;

35 (b) Date of birth;

36 (c) Address of record;

37 (d) Federal employer identification number or social security
38 number;

- 1 (e) Type of license;
- 2 (f) Effective date of license or renewal;
- 3 (g) Expiration date of license; and
- 4 (h) Active or inactive status.

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

7 In furtherance of the public policy of increasing collection of
8 child support and to assist in evaluation of the program established in
9 section 3 of this act, the department shall report the following to the
10 legislature and the governor on December 1, 1997, and annually
11 thereafter:

12 (1) The number of responsible parents identified as licensees
13 subject to section 3 of this act;

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

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

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

20 (5) The number of adjudicative proceedings held, and the results of
21 the adjudicative proceedings;

22 (6) The number of responsible parents certified to the department
23 of licensing or licensing entities for noncompliance with a support
24 order, and the type of license the parents held;

25 (7) The costs incurred in the implementation and enforcement of
26 section 3 of this act and an estimate of the amount of support
27 collected due to the departments under section 3 of this act;

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

30 (9) Recommendations for the addition of specific licenses in the
31 program or exclusion of specific licenses from the program, and reasons
32 for such recommendations; and

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

35 **Sec. 6.** RCW 46.20.021 and 1991 c 293 s 3 and 1991 c 73 s 1 are
36 each reenacted and amended to read as follows:

1 (1) No person, except as expressly exempted by this chapter, may
2 drive any motor vehicle upon a highway in this state unless the person
3 has a valid driver's license issued to Washington residents under the
4 provisions of this chapter. A violation of this subsection is a
5 misdemeanor and is a lesser included offense within the offenses
6 described in RCW 46.20.342(1) or 46.20.420.

7 (2) For the purposes of obtaining a valid driver's license, a
8 resident is a person who manifests an intent to live or be located in
9 this state on more than a temporary or transient basis. Evidence of
10 residency includes but is not limited to:

11 (a) Becoming a registered voter in this state; or

12 (b) Receiving benefits under one of the Washington public
13 assistance programs; or

14 (c) Declaring that he or she is a resident for the purpose of
15 obtaining a state license or tuition fees at resident rates.

16 (3) The term "Washington public assistance programs" referred to in
17 subsection (2)(b) of this section includes only public assistance
18 programs for which more than fifty percent of the combined costs of
19 benefits and administration are paid from state funds. Programs which
20 are not included within the term "Washington public assistance
21 programs" pursuant to the above criteria include, but are not limited
22 to the food stamp program under the federal food stamp act of 1964;
23 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
24 through 1788; and aid to families with dependent children, 42 U.S.C.
25 Secs. 601 through 606.

26 (4) No person shall receive a driver's license unless and until he
27 or she surrenders to the department all valid driver's licenses in his
28 or her possession issued to him or her by any other jurisdiction. The
29 department shall establish a procedure to invalidate the surrendered
30 photograph license and return it to the person. The invalidated
31 license, along with the valid temporary Washington driver's license
32 provided for in RCW 46.20.055(3), shall be accepted as proper
33 identification. The department shall notify the issuing department
34 that the licensee is now licensed in a new jurisdiction. No person
35 shall be permitted to have more than one valid driver's license at any
36 time.

37 (5) A person may not receive a driver's license if the person has
38 been certified by the department of social and health services as a

1 person who is not in compliance with a support order as provided in
2 section 3 of this act.

3 (6) New Washington residents are allowed thirty days from the date
4 they become residents as defined in this section to procure a valid
5 Washington driver's license.

6 ~~((+6))~~ (7) Any person licensed as a driver under this chapter may
7 exercise the privilege thereby granted upon all streets and highways in
8 this state and shall not be required to obtain any other license to
9 exercise such privilege by any county, municipal or local board, or
10 body having authority to adopt local police regulations.

11 **Sec. 7.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to read
12 as follows:

13 The department is authorized to suspend the license of a driver
14 upon a showing by its records or other sufficient evidence that the
15 licensee:

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

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

21 (3) Has been convicted of offenses against traffic regulations
22 governing the movement of vehicles, or found to have committed traffic
23 infractions, with such frequency as to indicate a disrespect for
24 traffic laws or a disregard for the safety of other persons on the
25 highways;

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

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

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

34 (7) Has been certified by the department of social and health
35 services as a person who is not in compliance with a support order as
36 provided in section 3 of this act.

1 **Sec. 8.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to read
2 as follows:

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

32 (2) Any person whose license or privilege to drive a motor vehicle
33 on the public highways has been revoked, unless the revocation was for
34 a cause which has been removed, is not entitled to have the license or
35 privilege renewed or restored until: (a) After the expiration of one
36 year from the date the license or privilege to drive was revoked; (b)
37 after the expiration of the applicable revocation period provided by
38 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for
39 persons convicted of vehicular homicide; or (d) after the expiration of

1 the applicable revocation period provided by RCW 46.20.265. After the
2 expiration of the appropriate period, the person may make application
3 for a new license as provided by law together with a reissue fee in the
4 amount of twenty dollars, but if the revocation is the result of a
5 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee
6 shall be fifty dollars. If the revocation is the result of a violation
7 of RCW 46.61.502 or 46.61.504, the department shall determine the
8 person's eligibility for licensing based upon the reports provided by
9 the alcoholism agency or probation department designated under RCW
10 46.61.5056 and shall deny reissuance of a license, permit, or privilege
11 to drive until enrollment and participation in an approved program has
12 been established and the person is otherwise qualified. Except for a
13 revocation under RCW 46.20.265, the department shall not then issue a
14 new license unless it is satisfied after investigation of the driving
15 ability of the person that it will be safe to grant the privilege of
16 driving a motor vehicle on the public highways, and until the person
17 gives and thereafter maintains proof of financial responsibility for
18 the future as provided in chapter 46.29 RCW. For a revocation under
19 RCW 46.20.265, the department shall not issue a new license unless it
20 is satisfied after investigation of the driving ability of the person
21 that it will be safe to grant that person the privilege of driving a
22 motor vehicle on the public highways.

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

34 NEW SECTION. **Sec. 9.** A new section is added to chapter 2.48 RCW
35 to read as follows:

36 (1) No person who has been certified by the department of social
37 and health services as a person who is not in compliance with a support
38 order as provided in section 3 of this act may be admitted to practice

1 law in this state. The application of a person so certified by the
2 department of social and health services may be reviewed for admission
3 after the person provides the board of governors of the Washington
4 state bar association a written release issued by the department of
5 social and health services stating that the person is in compliance
6 with the order.

7 (2) Any member of the Washington state bar association who has been
8 certified by the department of social and health services as a person
9 who is not in compliance with a support order as provided in section 3
10 of this act shall be immediately suspended from membership. Membership
11 shall not be reinstated until the person provides the board of
12 governors of the Washington state bar association a written release
13 issued by the department of social and health services stating that the
14 person is in compliance with the order. If the person has continued to
15 meet all other requirements for membership during the suspension,
16 reinstatement shall be automatic upon receipt of the notice and payment
17 of any reinstatement fee the association may impose.

18 **Sec. 10.** RCW 18.04.105 and 1992 c 103 s 7 are each amended to read
19 as follows:

20 (1) Except as provided in section 11 of this act, the certificate
21 of "certified public accountant" shall be granted by the board to any
22 person:

23 (a) Who is of good character. Good character, for purposes of this
24 section, means lack of a history of dishonest or felonious acts. The
25 board may refuse to grant a certificate on the ground of failure to
26 satisfy this requirement only if there is a substantial connection
27 between the lack of good character of the applicant and the
28 professional responsibilities of a certified public accountant and if
29 the finding by the board of lack of good character is supported by a
30 preponderance of evidence. When an applicant is found to be
31 unqualified for a certificate because of a lack of good character, the
32 board shall furnish the applicant a statement containing the findings
33 of the board and a notice of the applicant's right of appeal;

34 (b) Who has met the educational standards established by rule as
35 the board determines to be appropriate;

36 The board may, in its discretion, waive the educational
37 requirements for any person if it is satisfied through review of
38 documentation of successful completion of an equivalency examination

1 that the person's educational qualifications are an acceptable
2 substitute for the requirements of (b) of this subsection; and

3 (c) Who has passed a written examination.

4 (2) The examination described in subsection (1)(c) of this section
5 shall be in writing, shall be held twice a year, and shall test the
6 applicant's knowledge of the subjects of accounting and auditing, and
7 other related fields the board may specify by rule. The time for
8 holding the examination is fixed by the board and may be changed from
9 time to time. The board shall prescribe by rule the methods of
10 applying for and taking the examination, including methods for grading
11 papers and determining a passing grade required of an applicant for a
12 certificate. The board shall to the extent possible see to it that the
13 grading of the examination, and the passing grades, are uniform with
14 those applicable to all other states. The board may make use of all or
15 a part of the uniform certified public accountant examination and
16 advisory grading service of the American Institute of Certified Public
17 Accountants and may contract with third parties to perform
18 administrative services with respect to the examination as the board
19 deems appropriate to assist it in performing its duties under this
20 chapter.

21 (3) An applicant is required to pass all sections of the
22 examination provided for in subsection (2) of this section in order to
23 qualify for a certificate. If at a given sitting of the examination an
24 applicant passes two or more but not all sections, then the applicant
25 shall be given credit for those sections that he or she passed, and
26 need not take those sections again: PROVIDED, That:

27 (a) The applicant took all sections of the examination at that
28 sitting;

29 (b) The applicant attained a minimum grade of fifty on each section
30 not passed at that sitting;

31 (c) The applicant passes the remaining sections of the examination
32 within six consecutive examinations given after the one at which the
33 first sections were passed;

34 (d) At each subsequent sitting at which the applicant seeks to pass
35 additional sections, the applicant takes all sections not yet passed;
36 and

37 (e) In order to receive credit for passing additional sections in
38 a subsequent sitting, the applicant attains a minimum grade of fifty on
39 sections written but not passed on the sitting.

1 (4) The board may waive or defer any of the requirements of
2 subsection (3) of this section for candidates transferring conditional
3 CPA exam credits from other states or for qualifying reciprocity
4 certification applicants who met the conditioning requirements of the
5 state or foreign jurisdiction issuing their original certificate.

6 (5) The board shall charge each applicant an examination fee for
7 the initial examination under subsection (1) of this section, or for
8 reexamination under subsection (3) of this section for each subject in
9 which the applicant is reexamined. The applicable fee shall be paid by
10 the person at the time he or she applies for examination,
11 reexamination, or evaluation of educational qualifications. Fees for
12 examination, reexamination, or evaluation of educational qualifications
13 shall be determined by the board under chapter 18.04 RCW. There is
14 established in the state treasury an account to be known as the
15 certified public accountants' account. All fees received from
16 candidates to take any or all sections of the certified public
17 accountant examination shall be used only for costs related to the
18 examination.

19 (6) Persons who on June 30, 1986, held certified public accountant
20 certificates previously issued under the laws of this state shall not
21 be required to obtain additional certificates under this chapter, but
22 shall otherwise be subject to this chapter. Certificates previously
23 issued shall, for all purposes, be considered certificates issued under
24 this chapter and subject to its provisions.

25 (7) A certificate of a "certified public accountant" under this
26 chapter is issued on a biennial basis with renewal subject to
27 requirements of continuing professional education and payment of fees,
28 prescribed by the board.

29 (8) The board shall adopt rules providing for continuing
30 professional education for certified public accountants. The rules
31 shall:

32 (a) Provide that a certified public accountant shall verify to the
33 board that he or she has completed at least an accumulation of eighty
34 hours of continuing professional education during the last two-year
35 period to maintain the certificate;

36 (b) Establish continuing professional education requirements;

37 (c) Establish when newly certificated public accountants shall
38 verify that they have completed the required continuing professional
39 education; and

1 (d) Provide that failure to furnish verification of the completion
2 of the continuing professional education requirement shall make the
3 certificate invalid and subject to reinstatement, unless the board
4 determines that the failure was due to retirement, reasonable cause, or
5 excusable neglect.

6 NEW SECTION. **Sec. 11.** A new section is added to chapter 18.04 RCW
7 to read as follows:

8 (1) No person who has been certified by the department of social
9 and health services as a person who is not in compliance with a support
10 order as provided in section 3 of this act may be issued a certificate
11 of "certified public accountant." The application of a person so
12 certified by the department of social and health services may be
13 reviewed for issuance of a certificate under this chapter after the
14 person provides the board a written release issued by the department of
15 social and health services stating that the person is in compliance
16 with the order.

17 (2) The board shall immediately suspend the certificate or license
18 of a person who has been certified pursuant to section 3 of this act by
19 the department of social and health services as a person who is not in
20 compliance with a support order.

21 **Sec. 12.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
22 read as follows:

23 (1) Upon application in writing and after hearing pursuant to
24 notice, the board may:

25 ~~((1))~~ (a) Modify the suspension of, or reissue a certificate or
26 license to, an individual whose certificate has been revoked or
27 suspended; or

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

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

1 **Sec. 13.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to read
2 as follows:

3 (1) Except as provided in section 15 of this act, a certificate of
4 registration shall be granted by the director to all qualified
5 applicants who are certified by the board as having passed the required
6 examination and as having given satisfactory proof of completion of the
7 required experience.

8 (2) Applications for examination shall be filed as the board
9 prescribes by rule. The application and examination fees shall be
10 determined by the director under RCW 43.24.086.

11 (3) An applicant for registration as an architect shall be of a
12 good moral character, at least eighteen years of age, and shall possess
13 any of the following qualifications:

14 (a) Have an accredited architectural degree and three years'
15 practical architectural work experience approved by the board, which
16 may include designing buildings as a principal activity. At least two
17 years' work experience must be supervised by an architect with detailed
18 professional knowledge of the work of the applicant;

19 (b) Have eight years' practical architectural work experience
20 approved by the board. Each year spent in an accredited architectural
21 program approved by the board shall be considered one year of practical
22 experience. At least four years' practical work experience shall be
23 under the direct supervision of an architect; or

24 (c) Be a person who has been designing buildings as a principal
25 activity for eight years, or has an equivalent combination of education
26 and experience, but who was not registered under chapter 323, Laws of
27 1959, as amended, as it existed before July 28, 1992, provided that
28 application is made within four years after July 28, 1992. Nothing in
29 this chapter prevents such a person from designing buildings for four
30 years after July 28, 1992, or the five-year period allowed for
31 completion of the examination process, after that person has applied
32 for registration. A person who has been designing buildings and is
33 qualified under this subsection shall, upon application to the board of
34 registration for architects, be allowed to take the examination for
35 architect registration on an equal basis with other applicants.

36 **Sec. 14.** RCW 18.08.350 and 1993 c 475 s 2 are each amended to read
37 as follows:

1 (1) Except as provided in section 15 of this act, a certificate of
2 registration shall be granted by the director to all qualified
3 applicants who are certified by the board as having passed the required
4 examination and as having given satisfactory proof of completion of the
5 required experience.

6 (2) Applications for examination shall be filed as the board
7 prescribes by rule. The application and examination fees shall be
8 determined by the director under RCW 43.24.086.

9 (3) An applicant for registration as an architect shall be of a
10 good moral character, at least eighteen years of age, and shall possess
11 any of the following qualifications:

12 (a) Have an accredited architectural degree and three years'
13 practical architectural work experience approved by the board, which
14 may include designing buildings as a principal activity. At least two
15 years' work experience must be supervised by an architect with detailed
16 professional knowledge of the work of the applicant; or

17 (b) Have eight years' practical architectural work experience
18 approved by the board. Each year spent in an accredited architectural
19 program approved by the board shall be considered one year of practical
20 experience. At least four years' practical work experience shall be
21 under the direct supervision of an architect.

22 NEW SECTION. Sec. 15. A new section is added to chapter 18.08 RCW
23 to read as follows:

24 (1) No person who has been certified by the department of social
25 and health services as a person who is not in compliance with a support
26 order as provided in section 3 of this act may be issued a certificate
27 of registration under this chapter. The application of a person so
28 certified by the department of social and health services may be
29 reviewed for issuance of a certificate of registration under this
30 chapter after the person provides the board a written release issued by
31 the department of social and health services stating that the person is
32 in compliance with the order.

33 (2) The board shall immediately suspend the certificate of
34 registration or certificate of authorization to practice architecture
35 of a person who has been certified pursuant to section 3 of this act by
36 the department of social and health services as a person who is not in
37 compliance with a support order. If the person has continued to meet
38 other requirements for reinstatement during the suspension, reissuance

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

4 **Sec. 16.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
5 read as follows:

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

14 (2) No license may be issued by the department to any person who
15 has been certified by the department of social and health services as
16 a person who is not in compliance with a support order as provided in
17 section 3 of this act. The application of a person so certified by the
18 department of social and health services may be reviewed for issuance
19 of a license under this chapter after the person provides the board a
20 written release issued by the department of social and health services
21 stating that the person is in compliance with the order.

22 (3) The following shall be grounds for denial, suspension, or
23 revocation of a license, or imposition of an administrative fine by the
24 department:

25 (a) Misrepresentation or concealment of material facts in obtaining
26 a license;

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

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

31 (d) Misleading or false advertising;

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

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

36 (g) Nonpayment of an administrative fine prior to renewal of a
37 license;

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

3 (i) Any other violations of this chapter.

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

13 **Sec. 17.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to read
14 as follows:

15 (1) Upon payment of the proper fee, except as provided in section
16 18 of this act the director shall issue the appropriate license to any
17 person who:

18 (a) Is at least seventeen years of age or older;

19 (b) Has completed and graduated from a course approved by the
20 director of sixteen hundred hours of training in cosmetology, one
21 thousand hours of training in barbering, five hundred hours of training
22 in manicuring, five hundred hours of training in esthetics, and/or five
23 hundred hours of training as an instructor-trainee; and

24 (c) Has received a passing grade on the appropriate licensing
25 examination approved or administered by the director.

26 (2) A person currently licensed under this chapter may qualify for
27 examination and licensure, after the required examination is passed, in
28 another category if he or she has completed the crossover training
29 course approved by the director.

30 (3) Upon payment of the proper fee, the director shall issue a
31 salon/shop license to the operator of a salon/shop if the salon/shop
32 meets the other requirements of this chapter as demonstrated by
33 information submitted by the operator.

34 (4) The director may consult with the state board of health and the
35 department of labor and industries in establishing training and
36 examination requirements.

1 NEW SECTION. **Sec. 18.** A new section is added to chapter 18.16 RCW
2 to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 3 of this act may be issued a license
6 under this chapter. The application of a person so certified by the
7 department of social and health services may be reviewed for issuance
8 of a license under this chapter after the person provides the
9 department a written release issued by the department of social and
10 health services stating that the person is in compliance with the
11 order.

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

21 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.20 RCW
22 to read as follows:

23 (1) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act may be issued a license
26 under this chapter. The application of a person so certified by the
27 department of social and health services may be reviewed for issuance
28 of a license under this chapter after the person provides the
29 department a written release issued by the department of social and
30 health services stating that the person is in compliance with the
31 order.

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

1 health services stating that the licensee is in compliance with the
2 support order.

3 **Sec. 20.** RCW 18.27.030 and 1992 c 217 s 1 are each amended to read
4 as follows:

5 (1) An applicant for registration as a contractor shall submit an
6 application under oath upon a form to be prescribed by the director and
7 which shall include the following information pertaining to the
8 applicant:

9 (a) Employer social security number.

10 (b) As applicable: (i) The industrial insurance account number
11 covering employees domiciled in Washington; and (ii) evidence of
12 workers' compensation coverage in the applicant's state of domicile for
13 the applicant's employees working in Washington who are not domiciled
14 in Washington.

15 (c) Employment security department number.

16 (d) State excise tax registration number.

17 (e) Unified business identifier (UBI) account number may be
18 substituted for the information required by (b), (c), and (d) of this
19 subsection.

20 (f) Type of contracting activity, whether a general or a specialty
21 contractor and if the latter, the type of specialty.

22 (g) The name and address of each partner if the applicant be a firm
23 or partnership, or the name and address of the owner if the applicant
24 be an individual proprietorship, or the name and address of the
25 corporate officers and statutory agent, if any, if the applicant be a
26 corporation. The information contained in such application shall be a
27 matter of public record and open to public inspection.

28 (2) The department may verify the workers' compensation coverage
29 information provided by the applicant under subsection (1)(b) of this
30 section, including but not limited to information regarding the
31 coverage of an individual employee of the applicant. If coverage is
32 provided under the laws of another state, the department may notify the
33 other state that the applicant is employing employees in Washington.

34 (3) Registration shall be denied if the applicant has been
35 previously registered as a sole proprietor, partnership or corporation,
36 and was a principal or officer of the corporation, and if the applicant
37 has an unsatisfied final judgment in an action based on RCW 18.27.040
38 that incurred during a previous registration under this chapter.

1 (4) Registration shall be denied if the applicant has been
2 certified by the department of social and health services as a person
3 who is not in compliance with a support order as provided in section 3
4 of this act. The application of a person so certified by the
5 department of social and health services may be reviewed and the person
6 may be registered under this chapter if the person provides the
7 department a written release issued by the department of social and
8 health services stating that the person is in compliance with the
9 order.

10 **Sec. 21.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
11 amended to read as follows:

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

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

19 (a) One year;

20 (b) Until the bond expires; or

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

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

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

31 (5) The department shall immediately suspend the certificate of
32 registration of a contractor who has been certified by the department
33 of social and health services as a person who is not in compliance with
34 a support order as provided in section 3 of this act. The certificate
35 of registration shall not be reissued or renewed unless the person
36 provides to the department a written release from the department of
37 social and health services stating that he or she is in compliance with

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

3 **Sec. 22.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to read
4 as follows:

5 Except as provided in section 23 of this act, the director shall
6 issue a license to an applicant if the following requirements are met:

7 (1) The application is complete and the applicant has complied with
8 RCW 18.28.030.

9 (2) Neither an individual applicant, nor any of the applicant's
10 members if the applicant is a partnership or association, nor any of
11 the applicant's officers or directors if the applicant is a
12 corporation: (a) Has ever been convicted of forgery, embezzlement,
13 obtaining money under false pretenses, larceny, extortion, conspiracy
14 to defraud or any other like offense, or has been disbarred from the
15 practice of law; (b) has participated in a violation of this chapter or
16 of any valid rules, orders or decisions of the director promulgated
17 under this chapter; (c) has had a license to engage in the business of
18 debt adjusting revoked or removed for any reason other than for failure
19 to pay licensing fees in this or any other state; or (d) is an employee
20 or owner of a collection agency, or process serving business.

21 (3) An individual applicant is at least eighteen years of age.

22 (4) An applicant which is a partnership, corporation, or
23 association is authorized to do business in this state.

24 (5) An individual applicant for an original license as a debt
25 adjuster has passed an examination administered by the director, which
26 examination may be oral or written, or partly oral and partly written,
27 and shall be practical in nature and sufficiently thorough to ascertain
28 the applicant's fitness. Questions on bookkeeping, credit adjusting,
29 business ethics, agency, contracts, debtor and creditor relationships,
30 trust funds and the provisions of this chapter shall be included in the
31 examination. No applicant may use any books or other similar aids
32 while taking the examination, and no applicant may take the examination
33 more than three times in any twelve month period.

34 NEW SECTION. **Sec. 23.** A new section is added to chapter 18.28 RCW
35 to read as follows:

36 (1) No person who has been certified by the department of social
37 and health services as a person who is not in compliance with a support

1 order as provided in section 3 of this act may be issued a license
2 under this chapter. The application of a person so certified by the
3 department of social and health services may be reviewed for issuance
4 of a license under this chapter after the person provides the director
5 a written release issued by the department of social and health
6 services stating that the person is in compliance with the order.

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

16 **Sec. 24.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
17 read as follows:

18 The director shall have the following powers and duties:

19 (1) To issue all licenses provided for under this chapter;

20 (2) To annually renew licenses under this chapter;

21 (3) To collect all fees prescribed and required under this chapter;

22 (~~and~~)

23 (4) To deny issuing or immediately suspend the license of a person
24 who has been certified pursuant to section 3 of this act by the
25 department of social and health services as a person who is not in
26 compliance with a support order; and

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

30 NEW SECTION. **Sec. 25.** A new section is added to chapter 18.39 RCW
31 to read as follows:

32 (1) In the case of a person who has been denied the issuance of a
33 license under this chapter because the person was certified by the
34 department of social and health services as a person who is not in
35 compliance with section 3 of this act, the application of that person
36 may be reviewed by the director for issuance of a license after the
37 person provides the director a written release issued by the department

1 of social and health services stating that the person is in compliance
2 with the order.

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

9 NEW SECTION. **Sec. 26.** A new section is added to chapter 18.43 RCW
10 to read as follows:

11 (1) No person who has been certified by the department of social
12 and health services as a person who is not in compliance with a support
13 order as provided in section 3 of this act may be issued a certificate
14 of registration under this chapter. The application of a person so
15 certified by the department of social and health services may be
16 reviewed for issuance of a certificate of registration under this
17 chapter after the person provides the board a written release issued by
18 the department of social and health services stating that the person is
19 in compliance with the order.

20 (2) The board shall immediately suspend the registration of a
21 person who has been certified pursuant to section 3 of this act by the
22 department of social and health services as a person who is not in
23 compliance with a support order. If the person has continued to meet
24 all other requirements for membership during the suspension, reissuance
25 of the certificate of registration shall be automatic upon the board's
26 receipt of a written release issued by the department of social and
27 health services stating that the person is in compliance with the
28 support order.

29 NEW SECTION. **Sec. 27.** A new section is added to chapter 18.44 RCW
30 to read as follows:

31 (1) No person who has been certified by the department of social
32 and health services as a person who is not in compliance with a support
33 order as provided in section 3 of this act may be issued a certificate
34 of registration under this chapter. The application of a person so
35 certified by the department of social and health services may be
36 reviewed for issuance of a certificate of registration under this
37 chapter after the person provides the department a written release

1 issued by the department of social and health services stating that the
2 person is in compliance with the order.

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

12 **Sec. 28.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read
13 as follows:

14 (1) The department may deny, suspend, or revoke a license in any
15 case in which it finds that there has been failure or refusal to comply
16 with the requirements established under this chapter or the rules
17 adopted under it.

18 (2) The department shall deny a license in any case where the
19 applicant has been certified under section 3 of this act by the
20 department of social and health services as a person who is not in
21 compliance with a support order. The application of a person so
22 certified by the department of social and health services may be
23 reviewed for issuance of a license under this chapter after the person
24 provides the department a written release issued by the department of
25 social and health services stating that the person is in compliance
26 with the order.

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

36 RCW 43.70.115 governs notice of a license denial, revocation,
37 suspension, or modification and provides the right to an adjudicative
38 proceeding.

1 **Sec. 29.** RCW 18.51.054 and 1989 c 372 s 7 are each amended to read
2 as follows:

3 The department may deny a license to any applicant if the
4 department finds that the applicant or any partner, officer, director,
5 managerial employee, or owner of five percent or more of the applicant:

6 (1) Operated a nursing home without a license or under a revoked or
7 suspended license; or

8 (2) Knowingly or with reason to know made a false statement of a
9 material fact (a) in an application for license or any data attached
10 thereto, or (b) in any matter under investigation by the department; or

11 (3) Refused to allow representatives or agents of the department to
12 inspect (a) all books, records, and files required to be maintained or
13 (b) any portion of the premises of the nursing home; or

14 (4) Willfully prevented, interfered with, or attempted to impede in
15 any way (a) the work of any authorized representative of the department
16 or (b) the lawful enforcement of any provision of this chapter or
17 chapter 74.42 RCW; or

18 (5) Has a history of significant noncompliance with federal or
19 state regulations in providing nursing home care. In deciding whether
20 to deny a license under this section, the factors the department
21 considers shall include the gravity and frequency of the noncompliance
22 i or

23 (6) Has been certified pursuant to section 3 of this act by the
24 department of social and health services, division of child support, as
25 a person who is not in compliance with a support order. The
26 application of a person so certified by the department of social and
27 health services may be reviewed for issuance of a license under this
28 chapter after the person provides the department a written release
29 issued by the department of social and health services, division of
30 child support, stating that the person is in compliance with the order.

31 NEW SECTION. **Sec. 30.** A new section is added to chapter 18.51 RCW
32 to read as follows:

33 The department shall immediately suspend the license of a person
34 who has been certified pursuant to section 3 of this act by the
35 department of social and health services, division of support, as a
36 person who is not in compliance with a child support order. If the
37 person has continued to meet all other requirements for reinstatement
38 during the suspension, reissuance of the license shall be automatic

1 upon the department's receipt of a written release issued by the
2 division of child support stating that the person is in compliance with
3 the support order.

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

6 (1) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 3 of this act may be issued a certificate
9 under this chapter. The application of a person so certified by the
10 department of social and health services may be reviewed for issuance
11 of a certificate under this chapter after the person provides the
12 department a written release issued by the department of social and
13 health services stating that the person is in compliance with the
14 order.

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

24 NEW SECTION. **Sec. 32.** A new section is added to chapter 18.85 RCW
25 to read as follows:

26 (1) No person who has been certified by the department of social
27 and health services as a person who is not in compliance with a support
28 order as provided in section 3 of this act may be issued a broker's or
29 salesperson's license under this chapter. The application of a person
30 so certified by the department of social and health services may be
31 reviewed for issuance of a license under this chapter after the person
32 provides the director a written release issued by the department of
33 social and health services stating that the person is in compliance
34 with the order.

35 (2) The director shall immediately suspend the license of a broker
36 or salesperson who has been certified pursuant to section 3 of this act
37 by the department of social and health services as a person who is not

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

7 NEW SECTION. **Sec. 33.** A new section is added to chapter 18.96 RCW
8 to read as follows:

9 No person who has been certified by the department of social and
10 health services as a person who is not in compliance with a support
11 order as provided in section 3 of this act may be issued a certificate
12 of registration under this chapter. The application of a person so
13 certified by the department of social and health services may be
14 reviewed for issuance of a certificate under this chapter after the
15 person provides the director a written release issued by the department
16 of social and health services stating that the person is in compliance
17 with the order.

18 **Sec. 34.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
19 to read as follows:

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

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

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

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

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

35 (2) The director shall immediately suspend the certificate of
36 registration of a landscape architect who has been certified pursuant
37 to section 3 of this act by the department of social and health

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

7 **Sec. 35.** RCW 18.96.150 and 1993 c 35 s 6 are each amended to read
8 as follows:

9 Except as provided in section 33 of this act, the director shall
10 issue a certificate of registration upon payment of the registration
11 fee as provided in this chapter to any applicant who has satisfactorily
12 met all requirements for registration. All certificates of
13 registration shall show the full name of the registrant, shall have a
14 serial number and shall be signed by the chairman and the executive
15 secretary of the board, and by the director.

16 Each registrant shall obtain a seal of a design authorized by the
17 board, bearing the registrant's name and the legend, "registered
18 landscape architect". All sheets of drawings and title pages of
19 specifications prepared by the registrant shall be stamped with said
20 seal.

21 NEW SECTION. **Sec. 36.** A new section is added to chapter 18.104
22 RCW to read as follows:

23 No person who has been certified by the department of social and
24 health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act may be issued a license
26 under this chapter. The application of a person so certified by the
27 department of social and health services may be reviewed for issuance
28 of a license under this chapter after the person provides the
29 department a written release issued by the department of social and
30 health services stating that the person is in compliance with the
31 order.

32 **Sec. 37.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
33 read as follows:

34 (1) In cases other than those relating to the failure of a licensee
35 to renew a license, the director may suspend or revoke a license issued
36 pursuant to this chapter for any of the following reasons:

1 (~~(1)~~) (a) For fraud or deception in obtaining the license;
2 (~~(2)~~) (b) For fraud or deception in reporting under RCW
3 18.104.050;

4 (~~(3)~~) (c) For violating the provisions of this chapter, or of any
5 lawful rule or regulation of the department or the department of
6 health.

7 (2) The director shall immediately suspend any license issued under
8 this chapter if the holder of the license has been certified pursuant
9 to section 3 of this act by the department of social and health
10 services as a person who is not in compliance with a support order. If
11 the person has continued to meet all other requirements for
12 reinstatement during the suspension, reissuance of the license shall be
13 automatic upon the director's receipt of a written release issued by
14 the department of social and health services stating that the person is
15 in compliance with the support order.

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

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

24 **Sec. 38.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to
25 read as follows:

26 (1) Except as provided in section 39 of this act, the department
27 shall issue a certificate of competency to all applicants who have
28 passed the examination and have paid the fee for the certificate. The
29 certificate shall bear the date of issuance, and shall expire on the
30 birthdate of the holder immediately following the date of issuance.
31 The certificate shall be renewable every other year, upon application,
32 on or before the birthdate of the holder. A renewal fee shall be
33 assessed for each certificate. If a person fails to renew the
34 certificate by the renewal date, he or she must pay a doubled fee. If
35 the person does not renew the certificate within ninety days of the
36 renewal date, he or she must retake the examination and pay the
37 examination fee.

1 The certificate of competency and the temporary permit provided for
2 in this chapter grant the holder the right to engage in the work of
3 plumbing as a journeyman plumber or specialty plumber in accordance
4 with their provisions throughout the state and within any of its
5 political subdivisions on any job or any employment without additional
6 proof of competency or any other license or permit or fee to engage in
7 the work. This section does not preclude employees from adhering to a
8 union security clause in any employment where such a requirement
9 exists.

10 (2) A person who is indentured in an apprenticeship program
11 approved under chapter 49.04 RCW for the plumbing construction trade or
12 who is learning the plumbing construction trade may work in the
13 plumbing construction trade if supervised by a certified journeyman
14 plumber or a certified specialty plumber in that plumber's specialty.
15 All apprentices and individuals learning the plumbing construction
16 trade shall obtain a plumbing training certificate from the department.
17 The certificate shall authorize the holder to learn the plumbing
18 construction trade while under the direct supervision of a journeyman
19 plumber or a specialty plumber working in his or her specialty. The
20 holder of the plumbing training certificate shall renew the certificate
21 annually. At the time of renewal, the holder shall provide the
22 department with an accurate list of the holder's employers in the
23 plumbing construction industry for the previous year and the number of
24 hours worked for each employer. An annual fee shall be charged for the
25 issuance or renewal of the certificate. The department shall set the
26 fee by rule. The fee shall cover but not exceed the cost of
27 administering and enforcing the trainee certification and supervision
28 requirements of this chapter. Apprentices and individuals learning the
29 plumbing construction trade shall have their plumbing training
30 certificates in their possession at all times that they are performing
31 plumbing work. They shall show their certificates to an authorized
32 representative of the department at the representative's request.

33 (3) Any person who has been issued a plumbing training certificate
34 under this chapter may work if that person is under supervision.
35 Supervision shall consist of a person being on the same job site and
36 under the control of either a journeyman plumber or an appropriate
37 specialty plumber who has an applicable certificate of competency
38 issued under this chapter. Either a journeyman plumber or an
39 appropriate specialty plumber shall be on the same job site as the

1 noncertified individual for a minimum of seventy-five percent of each
2 working day unless otherwise provided in this chapter. The ratio of
3 noncertified individuals to certified journeymen or specialty plumbers
4 working on a job site shall be: (a) From July 28, 1985, through June
5 30, 1988, not more than three noncertified plumbers working on any one
6 job site for every certified journeyman or specialty plumber; (b)
7 effective July 1, 1988, not more than two noncertified plumbers working
8 on any one job site for every certified specialty plumber or journeyman
9 plumber working as a specialty plumber; and (c) effective July 1, 1988,
10 not more than one noncertified plumber working on any one job site for
11 every certified journeyman plumber working as a journeyman plumber.

12 An individual who has a current training certificate and who has
13 successfully completed or is currently enrolled in an approved
14 apprenticeship program or in a technical school program in the plumbing
15 construction trade in a school approved by the (~~commission for~~
16 ~~vocational education~~) work force training and education coordinating
17 board, may work without direct on-site supervision during the last six
18 months of meeting the practical experience requirements of this
19 chapter.

20 NEW SECTION. Sec. 39. A new section is added to chapter 18.106
21 RCW to read as follows:

22 (1) No person who has been certified by the department of social
23 and health services as a person who is not in compliance with a support
24 order as provided in section 3 of this act may be issued a certificate
25 of competency under this chapter. The application of a person so
26 certified by the department of social and health services may be
27 reviewed for issuance of a certificate of competency under this chapter
28 after the person provides the department a written release issued by
29 the department of social and health services stating that the person is
30 in compliance with the order.

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

1 health services stating that the person is in compliance with the
2 support order.

3 NEW SECTION. **Sec. 40.** A new section is added to chapter 18.130
4 RCW to read as follows:

5 The disciplining authority shall immediately suspend the license of
6 any person subject to this chapter who has been certified by the
7 department of social and health services as a person who is not in
8 compliance with a support order as provided in section 3 of this act.

9 **Sec. 41.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
10 read as follows:

11 The disciplining authority has the following authority:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (17) To immediately suspend licenses of persons who have been
27 certified by the department of social and health services as not in
28 compliance with a support order as provided in section 3 of this act.

29 **Sec. 42.** RCW 18.130.120 and 1984 c 279 s 12 are each amended to
30 read as follows:

31 The department shall not issue any license to any person whose
32 license has been denied, revoked, or suspended by the disciplining
33 authority except in conformity with the terms and conditions of the
34 certificate or order of denial, revocation, or suspension, or in
35 conformity with any order of reinstatement issued by the disciplining
36 authority, or in accordance with the final judgment in any proceeding
37 for review instituted under this chapter.

1 The department shall not issue a license to a person who has been
2 certified by the department of social and health services as a person
3 who is not in compliance with a support order as provided in section 3
4 of this act. The license may be issued after the person provides the
5 department a written release from the department of social and health
6 services stating that the person is in compliance with the order.

7 **Sec. 43.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
8 read as follows:

9 A person whose license has been suspended or revoked under this
10 chapter may petition the disciplining authority for reinstatement after
11 an interval as determined by the disciplining authority in the order.
12 The disciplining authority shall hold hearings on the petition and may
13 deny the petition or may order reinstatement and impose terms and
14 conditions as provided in RCW 18.130.160 and issue an order of
15 reinstatement. The disciplining authority may require successful
16 completion of an examination as a condition of reinstatement.

17 A person whose license has been suspended for noncompliance with a
18 support order under section 3 of this act may petition for
19 reinstatement at any time by providing the disciplining authority a
20 written release issued by the department of social and health services
21 stating that the person is in compliance with the support order. If
22 the person has continued to meet all other requirements for
23 reinstatement during the suspension, the disciplining authority shall
24 automatically reissue the person's license upon receipt of the release,
25 and payment of a reinstatement fee, if any.

26 **NEW SECTION. Sec. 44.** A new section is added to chapter 18.140
27 RCW to read as follows:

28 (1) No person who has been certified by the department of social
29 and health services as a person who is not in compliance with a support
30 order as provided in section 3 of this act may be issued a license or
31 certificate under this chapter. The application of a person so
32 certified by the department of social and health services may be
33 reviewed for issuance of a license or certificate after the person
34 provides the director a written release issued by the department of
35 social and health services stating that the person is in compliance
36 with the order.

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

10 **Sec. 45.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8 are
11 each reenacted and amended to read as follows:

12 Except as provided in section 46 of this act, the department shall
13 issue a certificate to any applicant who meets the standards
14 established under this chapter and who:

15 (1) Is holding one of the following:

16 (a) Certificate of proficiency, registered professional reporter,
17 registered merit reporter, or registered diplomate reporter from [the]
18 national court reporters association;

19 (b) Certificate of proficiency or certificate of merit from [the]
20 national stenomask verbatim reporters association; or

21 (c) A current Washington state court reporter certification; or

22 (2) Has passed an examination approved by the director or an
23 examination that meets or exceeds the standards established by the
24 director.

25 NEW SECTION. **Sec. 46.** A new section is added to chapter 18.145
26 RCW to read as follows:

27 (1) No person who has been certified by the department of social
28 and health services as a person who is not in compliance with a support
29 order as provided in section 3 of this act may be issued a certificate
30 under this chapter. The application of a person so certified by the
31 department of social and health services may be reviewed for issuance
32 of a certificate after the person provides the director a written
33 release issued by the department of social and health services stating
34 that the person is in compliance with the order.

35 (2) The director shall immediately suspend any certificate issued
36 under this chapter if the holder has been certified pursuant to section
37 3 of this act by the department of social and health services as a

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

7 **Sec. 47.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
8 read as follows:

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

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

18 (b) Conviction of a felony;

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

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

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

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

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

34 (3) The state director of fire protection shall refuse to issue or
35 immediately suspend any license or certificate issued under this
36 chapter if the holder has been certified pursuant to section 3 of this
37 act by the department of social and health services as a person who is
38 not in compliance with a support order. If the person has continued to

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

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

10 **Sec. 48.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to
11 read as follows:

12 The following acts are prohibited and constitute grounds for
13 disciplinary action, assessing administrative penalties, or denial,
14 suspension, or revocation of any license under this chapter, as deemed
15 appropriate by the director:

16 (1) Knowingly violating any of the provisions of this chapter or
17 the rules adopted under this chapter;

18 (2) Knowingly making a material misstatement or omission in the
19 application for or renewal of a license or firearms certificate,
20 including falsifying requested identification information;

21 (3) Not meeting the qualifications set forth in RCW 18.165.030,
22 18.165.040, or 18.165.050;

23 (4) Failing to return immediately on demand a firearm issued by an
24 employer;

25 (5) Carrying a firearm in the performance of his or her duties if
26 not the holder of a valid armed private investigator license, or
27 carrying a firearm not meeting the provisions of this chapter while in
28 the performance of his or her duties;

29 (6) Failing to return immediately on demand company identification,
30 badges, or other items issued to the private investigator by an
31 employer;

32 (7) Making any statement that would reasonably cause another person
33 to believe that the private investigator is a sworn peace officer;

34 (8) Divulging confidential information obtained in the course of
35 any investigation to which he or she was assigned;

36 (9) Acceptance of employment that is adverse to a client or former
37 client and relates to a matter about which a licensee has obtained

1 confidential information by reason of or in the course of the
2 licensee's employment by the client;

3 (10) Conviction of a gross misdemeanor or felony or the commission
4 of any act involving moral turpitude, dishonesty, or corruption whether
5 the act constitutes a crime or not. If the act constitutes a crime,
6 conviction in a criminal proceeding is not a condition precedent to
7 disciplinary action. Upon such a conviction, however, the judgment and
8 sentence is conclusive evidence at the ensuing disciplinary hearing of
9 the guilt of the license holder or applicant of the crime described in
10 the indictment or information, and of the person's violation of the
11 statute on which it is based. For the purposes of this section,
12 conviction includes all instances in which a plea of guilty or nolo
13 contendere is the basis for the conviction and all proceedings in which
14 the sentence has been deferred or suspended;

15 (11) Advertising that is false, fraudulent, or misleading;

16 (12) Incompetence or negligence that results in injury to a person
17 or that creates an unreasonable risk that a person may be harmed;

18 (13) Suspension, revocation, or restriction of the individual's
19 license to practice the profession by competent authority in any state,
20 federal, or foreign jurisdiction, a certified copy of the order,
21 stipulation, or agreement being conclusive evidence of the revocation,
22 suspension, or restriction;

23 (14) Failure to cooperate with the director by:

24 (a) Not furnishing any necessary papers or documents requested by
25 the director for purposes of conducting an investigation for
26 disciplinary action, denial, suspension, or revocation of a license
27 under this chapter;

28 (b) Not furnishing in writing a full and complete explanation
29 covering the matter contained in a complaint filed with the department;
30 or

31 (c) Not responding to subpoenas issued by the director, whether or
32 not the recipient of the subpoena is the accused in the proceeding;

33 (15) Failure to comply with an order issued by the director or an
34 assurance of discontinuance entered into with the director;

35 (16) Aiding or abetting an unlicensed person to practice if a
36 license is required;

37 (17) Misrepresentation or fraud in any aspect of the conduct of the
38 business or profession;

1 (18) Failure to adequately supervise employees to the extent that
2 the public health or safety is at risk;

3 (19) Interference with an investigation or disciplinary proceeding
4 by willful misrepresentation of facts before the director or the
5 director's authorized representative, or by the use of threats or
6 harassment against any client or witness to prevent them from providing
7 evidence in a disciplinary proceeding or any other legal action;

8 (20) Assigning or transferring any license issued pursuant to the
9 provisions of this chapter, except as provided in RCW 18.165.050;

10 (21) Assisting a client to locate, trace, or contact a person when
11 the investigator knows that the client is prohibited by any court order
12 from harassing or contacting the person whom the investigator is being
13 asked to locate, trace, or contact, as it pertains to domestic
14 violence, stalking, or minor children;

15 (22) Failure to maintain bond or insurance; ((or))

16 (23) Failure to have a qualifying principal in place; or

17 (24) Being certified as not in compliance with a support order as
18 provided in section 3 of this act.

19 NEW SECTION. Sec. 49. A new section is added to chapter 18.165
20 RCW to read as follows:

21 (1) No person who has been certified by the department of social
22 and health services as a person who is not in compliance with a support
23 order as provided in section 3 of this act may be issued a license
24 under this chapter. The application of a person so certified by the
25 department of social and health services may be reviewed for issuance
26 of a license after the person provides the director a written release
27 issued by the department of social and health services stating that the
28 person is in compliance with the order.

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

1 **Sec. 50.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to
2 read as follows:

3 In addition to the provisions of section 51 of this act, the
4 following acts are prohibited and constitute grounds for disciplinary
5 action, assessing administrative penalties, or denial, suspension, or
6 revocation of any license under this chapter, as deemed appropriate by
7 the director:

8 (1) Knowingly violating any of the provisions of this chapter or
9 the rules adopted under this chapter;

10 (2) Practicing fraud, deceit, or misrepresentation in any of the
11 private security activities covered by this chapter;

12 (3) Knowingly making a material misstatement or omission in the
13 application for a license or firearms certificate;

14 (4) Not meeting the qualifications set forth in RCW 18.170.030,
15 18.170.040, or 18.170.060;

16 (5) Failing to return immediately on demand a firearm issued by an
17 employer;

18 (6) Carrying a firearm in the performance of his or her duties if
19 not the holder of a valid armed private security guard license, or
20 carrying a firearm not meeting the provisions of this chapter while in
21 the performance of his or her duties;

22 (7) Failing to return immediately on demand any uniform, badge, or
23 other item of equipment issued to the private security guard by an
24 employer;

25 (8) Making any statement that would reasonably cause another person
26 to believe that the private security guard is a sworn peace officer;

27 (9) Divulging confidential information that may compromise the
28 security of any premises, or valuables shipment, or any activity of a
29 client to which he or she was assigned;

30 (10) Conviction of a gross misdemeanor or felony or the commission
31 of any act involving moral turpitude, dishonesty, or corruption whether
32 the act constitutes a crime or not. If the act constitutes a crime,
33 conviction in a criminal proceeding is not a condition precedent to
34 disciplinary action. Upon such a conviction, however, the judgment and
35 sentence is conclusive evidence at the ensuing disciplinary hearing of
36 the guilt of the license holder or applicant of the crime described in
37 the indictment or information, and of the person's violation of the
38 statute on which it is based. For the purposes of this section,
39 conviction includes all instances in which a plea of guilty or nolo

1 contendere is the basis for the conviction and all proceedings in which
2 the sentence has been deferred or suspended;

3 (11) Misrepresentation or concealment of a material fact in
4 obtaining a license or in reinstatement thereof;

5 (12) Advertising that is false, fraudulent, or misleading;

6 (13) Incompetence or negligence that results in injury to a person
7 or that creates an unreasonable risk that a person may be harmed;

8 (14) Suspension, revocation, or restriction of the individual's
9 license to practice the profession by competent authority in any state,
10 federal, or foreign jurisdiction, a certified copy of the order,
11 stipulation, or agreement being conclusive evidence of the revocation,
12 suspension, or restriction;

13 (15) Failure to cooperate with the director by:

14 (a) Not furnishing any necessary papers or documents requested by
15 the director for purposes of conducting an investigation for
16 disciplinary action, denial, suspension, or revocation of a license
17 under this chapter;

18 (b) Not furnishing in writing a full and complete explanation
19 covering the matter contained in a complaint filed with the department;
20 or

21 (c) Not responding to subpoenas issued by the director, whether or
22 not the recipient of the subpoena is the accused in the proceeding;

23 (16) Failure to comply with an order issued by the director or an
24 assurance of discontinuance entered into with the disciplining
25 authority;

26 (17) Aiding or abetting an unlicensed person to practice if a
27 license is required;

28 (18) Misrepresentation or fraud in any aspect of the conduct of the
29 business or profession;

30 (19) Failure to adequately supervise employees to the extent that
31 the public health or safety is at risk;

32 (20) Interference with an investigation or disciplinary proceeding
33 by willful misrepresentation of facts before the director or the
34 director's authorized representative, or by the use of threats or
35 harassment against a client or witness to prevent them from providing
36 evidence in a disciplinary proceeding or any other legal action;

37 (21) Assigning or transferring any license issued pursuant to the
38 provisions of this chapter, except as provided in RCW 18.170.060;

39 (22) Failure to maintain insurance; and

1 (23) Failure to have a qualifying principal in place.

2 NEW SECTION. **Sec. 51.** A new section is added to chapter 18.170
3 RCW to read as follows:

4 (1) No person who has been certified by the department of social
5 and health services as a person who is not in compliance with a support
6 order as provided in section 3 of this act may be issued a license
7 under this chapter. The application of a person so certified by the
8 department of social and health services may be reviewed for issuance
9 of a license after the person provides the director a written release
10 issued by the department of social and health services stating that the
11 person is in compliance with the order.

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

21 NEW SECTION. **Sec. 52.** A new section is added to chapter 18.175
22 RCW to read as follows:

23 (1) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act may be issued a certificate
26 of registration under this chapter. The application of a person so
27 certified by the department of social and health services may be
28 reviewed for issuance of a certificate of registration after the person
29 provides the director a written release issued by the department of
30 social and health services stating that the person is in compliance
31 with the order.

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

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

4 NEW SECTION. **Sec. 53.** A new section is added to chapter 18.185
5 RCW to read as follows:

6 (1) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 3 of this act may be issued a license
9 under this chapter. The application of a person so certified by the
10 department of social and health services may be reviewed for issuance
11 of a license after the person provides the director a written release
12 issued by the department of social and health services stating that the
13 person is in compliance with the order.

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

23 **Sec. 54.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
24 read as follows:

25 This section governs the denial of an application for a license or
26 the suspension, revocation, or modification of a license by the
27 department.

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

36 (2) Except as otherwise provided in this subsection and in
37 subsection (4) of this section, revocation, suspension, or modification

1 is effective twenty-eight days after the licensee or the agent receives
2 the notice.

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

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

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

17 (3) Except for licensees suspended for noncompliance with a support
18 order under chapter 74.20A RCW, a license applicant or licensee who is
19 aggrieved by a department denial, revocation, suspension, or
20 modification has the right to an adjudicative proceeding. The
21 proceeding is governed by the Administrative Procedure Act, chapter
22 34.05 RCW. The application must be in writing, state the basis for
23 contesting the adverse action, include a copy of the adverse notice, be
24 served on and received by the department within twenty-eight days of
25 the license applicant's or licensee's receiving the adverse notice, and
26 be served in a manner that shows proof of receipt.

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

36 (b) If the department gives a licensee less than twenty-eight days
37 notice of revocation, suspension, or modification and the licensee
38 timely files a sufficient appeal, the department may implement the
39 adverse action on the effective date stated in the notice. The

1 presiding or reviewing officer may order the department to stay
2 implementation of part or all of the adverse action while the
3 proceedings are pending if staying implementation is in the public
4 interest or for other good cause.

5 NEW SECTION. **Sec. 55.** A new section is added to chapter 28A.410
6 RCW to read as follows:

7 (1) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 3 of this act may be issued a certificate
10 or permit under this chapter. The application of a person so certified
11 by the department of social and health services may be reviewed for
12 issuance of a certificate or permit after the person provides the
13 authority authorized to grant the certificate or permit a written
14 release issued by the department of social and health services stating
15 that the person is in compliance with the order.

16 (2) Any certificate or permit authorized under this chapter or
17 chapter 28A.405 RCW shall be suspended by the authority authorized to
18 grant the certificate or permit if the department of social and health
19 services certifies that the person is not in compliance with a support
20 order as provided in section 3 of this act. If the person continues to
21 meet other requirements for reinstatement during the suspension,
22 reissuance of the certificate or permit shall be automatic after the
23 person provides the authority a written release issued by the
24 department of social and health services stating that the person is in
25 compliance with the order.

26 **Sec. 56.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to read
27 as follows:

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

32 (1) The department shall give written notice of the denial of an
33 application for a license to the applicant or his or her agent. The
34 department shall give written notice of revocation, suspension, or
35 modification of a license to the licensee or his or her agent. The
36 notice shall state the reasons for the action. The notice shall be
37 personally served in the manner of service of a summons in a civil

1 action or shall be given in (~~(an other [another])~~) another manner that
2 shows proof of receipt.

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

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

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

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

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

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

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

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

11 NEW SECTION. **Sec. 57.** A new section is added to chapter 26.18 RCW
12 to read as follows:

13 (1) Upon motion by the obligee and after a hearing the court may
14 enter a finding that the obligor is not in compliance with a support
15 order for purposes of this section and that the obligor has a license
16 or is in the process of applying for or renewing a license that is
17 subject to the provisions of this section. The issue that may be
18 considered at the hearing is limited to whether the obligor is in
19 compliance with the support order.

20 (2) If the court enters a finding that the obligor is not in
21 compliance with a support order, the court shall enter an order
22 directed to the appropriate licensing entity which certifies that the
23 obligor is not in compliance with a support order. The order shall
24 contain the obligor's name, address, and social security number, and
25 shall indicate whether the obligor is believed to be a licensee who
26 has, is in the process of applying for, or may seek renewal of a
27 license issued directly by the licensing entity or through a board
28 affiliated with the licensing entity. The court clerk shall forward
29 the order to the licensing entity.

30 (3) Upon receipt of the court order the licensing entity shall
31 refuse to issue or renew a license to the licensee or shall suspend the
32 licensee's license according to the provisions of section 3 of this act
33 until the licensee provides the licensing entity with a release from
34 the court that states the licensee is in compliance with the support
35 order.

36 (4) When an obligor subsequently complies with the support order,
37 the court shall provide the obligor and the appropriate licensing

1 entity with written confirmation that the obligor is in compliance with
2 the court order.

3 (5) The court may issue an order denying, suspending, or not
4 reissuing a license if the court issues an arrest warrant after the
5 obligor fails to appear at the show cause hearing.

6 (6) Nothing in this section prohibits an obligor from filing a
7 motion to modify a support order with the court under applicable
8 provisions in chapter 26.09 RCW governing modification.

9 (7) As used in this section, unless the context indicates
10 otherwise, "licensing entity," "noncompliance with a support order,"
11 "license," and "licensee" have the same meanings as in RCW 74.20A.020.

12 **Sec. 58.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to read
13 as follows:

14 (1) If the office of support enforcement is providing support
15 enforcement services under RCW 26.23.045, or if a party is applying for
16 support enforcement services by signing the application form on the
17 bottom of the support order, the superior court shall include in all
18 court orders that establish or modify a support obligation:

19 (a) A provision that orders and directs the responsible parent to
20 make all support payments to the Washington state support registry;

21 (b) A statement that a notice of payroll deduction may be issued,
22 or other income withholding action under chapter 26.18 or 74.20A RCW
23 may be taken, without further notice to the responsible parent at any
24 time after entry of the court order, unless:

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

28 (ii) The parties reach a written agreement that is approved by the
29 court that provides for an alternate arrangement; (~~and~~)

30 (c) A statement that the receiving parent might be required to
31 submit an accounting of how the support is being spent to benefit the
32 child; and

33 (d) A statement that the responsible parent's privileges to obtain
34 and maintain a license, as defined in section 57 of this act, may be
35 denied, not renewed, or suspended if the parent is not in compliance
36 with a support order as defined in section 57 of this act.

37 As used in this subsection and subsection (3) of this section,
38 "good cause not to require immediate income withholding" means a

1 written determination of why implementing immediate wage withholding
2 would not be in the child's best interests and, in modification cases,
3 proof of timely payment of previously ordered support.

4 (2) In all other cases not under subsection (1) of this section,
5 the court may order the responsible parent to make payments directly to
6 the person entitled to receive the payments, to the Washington state
7 support registry, or may order that payments be made in accordance with
8 an alternate arrangement agreed upon by the parties.

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

11 (i) A statement that a notice of payroll deduction may be issued or
12 other income withholding action under chapter 26.18 or 74.20A RCW may
13 be taken, without further notice to the responsible parent at any time
14 after entry of the court order, unless:

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

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

20 (ii) A statement that the receiving parent may be required to
21 submit an accounting of how the support is being spent to benefit the
22 child.

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

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

27 (i) Immediate income withholding may be ordered if the responsible
28 parent has earnings. If immediate income withholding is ordered under
29 this subsection, all support payments shall be paid to the Washington
30 state support registry. The superior court shall issue a mandatory
31 wage assignment order as set forth in chapter 26.18 RCW when the
32 support order is signed by the court. The parent entitled to receive
33 the transfer payment is responsible for serving the employer with the
34 order and for its enforcement as set forth in chapter 26.18 RCW.

35 (ii) If immediate income withholding is not ordered, the court
36 shall require that income withholding be delayed until a payment is
37 past due. The support order shall contain a statement that a notice of
38 payroll deduction may be issued, or other income-withholding action

1 under chapter 26.18 or 74.20A RCW may be taken, without further notice
2 to the responsible parent, after a payment is past due.

3 (c) If a mandatory wage withholding order under chapter 26.18 RCW
4 is issued under this subsection and the office of support enforcement
5 provides support enforcement services under RCW 26.23.045, the existing
6 wage withholding assignment is prospectively superseded upon the office
7 of support enforcement's subsequent service of an income withholding
8 notice.

9 (3) The office of administrative hearings and the department of
10 social and health services shall require that all support obligations
11 established as administrative orders include a provision which orders
12 and directs that the responsible parent shall make all support payments
13 to the Washington state support registry. All administrative orders
14 shall also state that the responsible parent's privileges to obtain and
15 maintain a license, as defined in section 57 of this act, may be
16 denied, not renewed, or suspended if the parent is not in compliance
17 with a support order as defined in section 57 of this act. All
18 administrative orders shall also state that a notice of payroll
19 deduction may be issued, or other income withholding action taken
20 without further notice to the responsible parent at any time after
21 entry of the order, unless:

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

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

27 (4) If the support order does not include the provision ordering
28 and directing that all payments be made to the Washington state support
29 registry and a statement that a notice of payroll deduction may be
30 issued if a support payment is past due or at any time after the entry
31 of the order, or that a parent's licensing privileges may be denied,
32 not renewed, or suspended, the office of support enforcement may serve
33 a notice on the responsible parent stating such requirements and
34 authorizations. Service may be by personal service or any form of mail
35 requiring a return receipt.

36 (5) Every support order shall state:

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

38 (b) That a notice of payroll deduction may be issued or other
39 income withholding action under chapter 26.18 or 74.20A RCW may be

1 taken, without further notice to the responsible parent at any time
2 after entry of an order by the court, unless:

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

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

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

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

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

11 (f) The social security number, residence address, and name and
12 address of the employer of the responsible parent;

13 (g) The social security number and residence address of the
14 physical custodian except as provided in subsection (6) of this
15 section;

16 (h) The names, dates of birth, and social security numbers, if any,
17 of the dependent children;

18 (i) In cases requiring payment to the Washington state support
19 registry, that the parties are to notify the Washington state support
20 registry of any change in residence address. The responsible parent
21 shall notify the registry of the name and address of his or her current
22 employer, whether he or she has access to health insurance coverage at
23 reasonable cost and, if so, the health insurance policy information;

24 (j) That any parent owing a duty of child support shall be
25 obligated to provide health insurance coverage for his or her child if
26 coverage that can be extended to cover the child is or becomes
27 available to that parent through employment or is union-related as
28 provided under RCW 26.09.105;

29 (k) That if proof of health insurance coverage or proof that the
30 coverage is unavailable is not provided within twenty days, the obligee
31 or the department may seek direct enforcement of the coverage through
32 the obligor's employer or union without further notice to the obligor
33 as provided under chapter 26.18 RCW; ((and))

34 (l) The reasons for not ordering health insurance coverage if the
35 order fails to require such coverage; and

36 (m) That the responsible parent's privileges to obtain and maintain
37 a license, as defined in section 57 of this act, may be denied, not
38 renewed, or suspended if the parent is not in compliance with a support
39 order as defined in section 57 of this act.

1 (6) The physical custodian's address:

2 (a) Shall be omitted from an order entered under the administrative
3 procedure act. When the physical custodian's address is omitted from
4 an order, the order shall state that the custodian's address is known
5 to the office of support enforcement.

6 (b) A responsible parent may request the physical custodian's
7 residence address by submission of a request for disclosure under RCW
8 26.23.120 to the office of support enforcement.

9 (7) The superior court clerk, the office of administrative
10 hearings, and the department of social and health services shall,
11 within five days of entry, forward to the Washington state support
12 registry, a true and correct copy of all superior court orders or
13 administrative orders establishing or modifying a support obligation
14 which provide that support payments shall be made to the support
15 registry. If a superior court order entered prior to January 1, 1988,
16 directs the responsible parent to make support payments to the clerk,
17 the clerk shall send a true and correct copy of the support order and
18 the payment record to the registry for enforcement action when the
19 clerk identifies that a payment is more than fifteen days past due.
20 The office of support enforcement shall reimburse the clerk for the
21 reasonable costs of copying and sending copies of court orders to the
22 registry at the reimbursement rate provided in Title IV-D of the social
23 security act.

24 (8) Receipt of a support order by the registry or other action
25 under this section on behalf of a person or persons who have not made
26 a written application for support enforcement services to the office of
27 support enforcement and who are not recipients of public assistance is
28 deemed to be a request for payment services only.

29 (9) After the responsible parent has been ordered or notified to
30 make payments to the Washington state support registry under this
31 section, the responsible parent shall be fully responsible for making
32 all payments to the Washington state support registry and shall be
33 subject to payroll deduction or other income withholding action. The
34 responsible parent shall not be entitled to credit against a support
35 obligation for any payments made to a person or agency other than to
36 the Washington state support registry except as provided under RCW
37 74.20.101. A civil action may be brought by the payor to recover
38 payments made to persons or agencies who have received and retained
39 support moneys paid contrary to the provisions of this section.

1 NEW SECTION. **Sec. 59.** A new section is added to chapter 26.09 RCW
2 to read as follows:

3 The court may issue an order denying, suspending, or not reissuing
4 a license if the court issues an arrest warrant after the parent fails
5 to appear following service under the civil rules at any hearing
6 involving determination, modification, or enforcement of support or if
7 a warrant is issued for failure to appear.

8 As used in this section, "license" has the same meaning as in RCW
9 74.20A.020.

10 NEW SECTION. **Sec. 60.** A new section is added to chapter 26.26 RCW
11 to read as follows:

12 The court may issue an order denying, suspending, or not reissuing
13 a license if the court issues an arrest warrant after the parent fails
14 to appear following service under the civil rules at any hearing
15 involving establishment of paternity or support or if a warrant is
16 issued for failure to appear.

17 As used in this section, "license" has the same meaning as in RCW
18 74.20A.020.

19 NEW SECTION. **Sec. 61.** A new section is added to chapter 74.20A
20 RCW to read as follows:

21 The court may issue an order denying, suspending, or not reissuing
22 a license if the court issues an arrest warrant after the parent fails
23 to appear following service under the civil rules at any hearing
24 involving determination, modification, or enforcement of support or if
25 a warrant is issued for failure to appear.

26 NEW SECTION. **Sec. 62.** A new section is added to chapter 74.20A
27 RCW to read as follows:

28 The department shall indemnify a board acting under the authority
29 of section 3 of this act for reasonable legal expenses incurred in
30 defending the board's actions to comply with the requirements of
31 section 3 of this act.

32 NEW SECTION. **Sec. 63.** The department of fish and wildlife shall
33 report by December 31, 1996, to appropriate committees of the
34 legislature with recommendations on legislation to provide for the
35 denial or suspension of recreational licenses for persons who have been

1 certified by the department of social and health services as not in
2 compliance with a support order under section 3 of this act.

3 NEW SECTION. **Sec. 64.** This act applies prospectively and
4 retroactively to parents who are not in compliance with a support order
5 on, before, or after the effective date of this section.

6 NEW SECTION. **Sec. 65.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

10 NEW SECTION. **Sec. 66.** Section 14 of this act takes effect July
11 29, 2001.

12 NEW SECTION. **Sec. 67.** Sections 1 through 13 and 15 through 64 of
13 this act take effect July 1, 1996.

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