
HOUSE BILL 2906

State of Washington 54th Legislature 1996 Regular Session

By Representatives Lambert, Mastin, Carrell, Blanton and Boldt

Read first time 01/24/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to financial responsibility for minor parents;
2 amending RCW 26.16.205, 74.20A.020, and 13.34.160; and adding a new
3 section to chapter 74.12 RCW.

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

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

7 The expenses of the family and the education of the children,
8 including stepchildren and any child of whom their minor child is a
9 biological parent, are chargeable upon the property of both husband and
10 wife, or either of them, and they may be sued jointly or separately.
11 When a petition for dissolution of marriage or a petition for legal
12 separation is filed, the court may, upon motion of the stepparent,
13 terminate the obligation to support the stepchildren or children of the
14 stepchildren. The obligation to support stepchildren and children of
15 stepchildren shall cease upon the entry of a decree of dissolution,
16 decree of legal separation, or death. The obligation of a husband and
17 wife to support a child of their minor child terminates when their
18 minor child reaches eighteen years of age, however, a stepparent's

1 support obligation may be terminated earlier as provided for in this
2 section.

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

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

8 (1) "Department" means the state department of social and health
9 services.

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

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

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

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

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

21 (5) "Superior court order" means any judgment, decree, or order of
22 the superior court of the state of Washington, or a court of comparable
23 jurisdiction of another state, establishing the existence of a support
24 obligation and ordering payment of a set or determinable amount of
25 support moneys to satisfy the support obligation. For purposes of RCW
26 74.20A.055, orders for support which were entered under the uniform
27 reciprocal enforcement of support act by a state where the responsible
28 parent no longer resides shall not preclude the department from
29 establishing an amount to be paid as current and future support.

30 (6) "Administrative order" means any determination, finding,
31 decree, or order for support pursuant to RCW 74.20A.055, or by an
32 agency of another state pursuant to a substantially similar
33 administrative process, establishing the existence of a support
34 obligation and ordering the payment of a set or determinable amount of
35 support moneys to satisfy the support obligation.

36 (7) "Responsible parent" means a natural parent, adoptive parent,
37 or stepparent of a dependent child or a person who has signed an
38 affidavit acknowledging paternity which has been filed with the state

1 office of vital statistics and includes the parent of an unmarried
2 minor with a child.

3 (8) "Stepparent" means the present spouse of the person who is
4 either the mother, father, or adoptive parent of a dependent child, and
5 such status shall exist until terminated as provided for in RCW
6 26.16.205.

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

12 (10) "Support debt" means any delinquent amount of support moneys
13 which is due, owing, and unpaid under a superior court order or an
14 administrative order, a debt for the payment of expenses for the
15 reasonable or necessary care, support, and maintenance, including
16 medical expenses, of a dependent child or other person for whom a
17 support obligation is owed; or a debt under RCW 74.20A.100 or
18 74.20A.270. Support debt also includes any accrued interest, fees, or
19 penalties charged on a support debt, and attorneys fees and other costs
20 of litigation awarded in an action to establish and enforce a support
21 obligation or debt.

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

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.12 RCW
26 to read as follows:

27 The parents of an unmarried minor who has a child are responsible
28 for the support of the minor and child. The unmarried minor and the
29 minor's child shall be considered to be part of the household of the
30 minor's parents or parent for purposes of determining eligibility for
31 aid to families with dependent children; and as such, the income and
32 resources of the entire household are considered to be available to
33 support the unmarried minor and his or her child.

34 **Sec. 4.** RCW 13.34.160 and 1993 c 358 s 2 are each amended to read
35 as follows:

36 (1) In an action brought under this chapter, the court may inquire
37 into the ability of the parent or parents of the child to pay child

1 support and may enter an order of child support as set forth in chapter
2 26.19 RCW. The court may enforce the same by execution, or in any way
3 in which a court of equity may enforce its decrees. All child support
4 orders entered pursuant to this chapter shall be in compliance with the
5 provisions of RCW 26.23.050.

6 (2) For purposes of this section, if a dependent child's parent is
7 an unmarried minor, then the parent or parents of the minor shall also
8 be deemed a parent or parents of the dependent child. However,
9 liability for child support under this subsection only exists if the
10 parent or parents of the unmarried minor parent are provided the
11 opportunity for a hearing on their ability to provide support. Any
12 child support order requiring such a parent or parents to provide
13 support for the minor parent's child may be effective only until the
14 minor parent reaches eighteen years of age.

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