
SECOND SUBSTITUTE SENATE BILL 5375

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Wojahn, McCaslin, Haugen, Deccio, Franklin, Spanel, Kohl, Snyder, Quigley, Prentice, Oke and Moyer)

Read first time 02/02/96.

1 AN ACT Relating to suspension of licenses for failure to pay child
2 support; amending RCW 74.20A.020, 46.20.291, 46.20.311, 18.04.335,
3 18.11.160, 18.27.060, 18.39.181, 18.46.050, 18.96.120, 18.104.110,
4 18.130.050, 18.130.150, 18.160.080, and 43.20A.205; adding new sections
5 to chapter 74.20A RCW; adding a new section to chapter 2.48 RCW; adding
6 a new section to chapter 18.04 RCW; adding a new section to chapter 18.
7 RCW; adding a new section to chapter 18.16 RCW; adding a new section to
8 chapter 18.20 RCW; adding a new section to chapter 18.28 RCW; adding a
9 new section to chapter 18.39 RCW; adding a new section to chapter 18.43
10 RCW; adding a new section to chapter 18.44 RCW; adding a new section to
11 chapter 18.51 RCW; adding a new section to chapter 18.76 RCW; adding a
12 new section to chapter 18.85 RCW; adding a new section to chapter
13 18.106 RCW; adding a new section to chapter 18.130 RCW; adding a new
14 section to chapter 18.140 RCW; adding a new section to chapter 18.145
15 RCW; adding a new section to chapter 18.165 RCW; adding a new section
16 to chapter 18.170 RCW; adding a new section to chapter 18.175 RCW;
17 adding a new section to chapter 18.185 RCW; adding a new section to
18 chapter 19.28 RCW; adding a new section to chapter 26.18 RCW; and
19 creating new sections.

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

1 NEW SECTION. **Sec. 1.** The legislature recognizes that the current
2 statutory procedures for the collection of child support do not apply
3 to all persons owing child support. In order to further insure that
4 child support obligations are met, this act establishes a program by
5 which certain licenses may be suspended if a person is one hundred
6 eighty days or more in arrears on child support payments. With this
7 program, it is the intent of the legislature to provide a strong
8 incentive for persons owing support to make timely payments, and to
9 cooperate with the department of social and health services to
10 establish an appropriate schedule for the payment of any arrears. In
11 addition, the legislature finds that disputes over child visitation
12 comprise an often-cited reason why child support is unpaid. It is the
13 intent of the legislature to include custodial parents who deny
14 visitation as persons subject to license suspension.

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

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

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

30 (a) "Licensing entity" includes any department, board, commission,
31 or other organization of the state authorized by Title 18 RCW or
32 chapter 19.28 RCW to issue, renew, suspend, or revoke a license
33 authorizing an individual to engage in a business, occupation,
34 profession, or industry, and the Washington state supreme court.

35 (b) "Noncompliance with a child support order" means a responsible
36 parent has:

37 (i) Accumulated arrears totaling more than six months of child
38 support payments;

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

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

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

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

15 (e) "Noncomplying custodial parent" means a parent who has custody
16 of the children in a family where the court has ordered visitation
17 rights for the noncustodial parent, and the custodial parent has not
18 complied with the visitation order.

19 (f) "Noncompliance with a visitation order" means the documented
20 failure of a custodial parent to follow the terms of a court-ordered
21 visitation plan.

22 (2) Upon notice and motion, a noncustodial parent who has a court-
23 ordered child visitation plan may seek judicial suspension of the
24 driver's, business, occupational, or professional licenses cited in
25 this act, where the licensee is a noncomplying custodial parent.

26 (3) The department may serve upon a responsible parent a notice
27 informing the responsible parent of the department's intent to submit
28 the parent's name to the department of licensing and any appropriate
29 licensing entity as a licensee who is not in compliance with a child
30 support order except as provided in subsection (4) of this section.
31 The department shall attach a copy of the responsible parent's child
32 support order to the notice. Service of the notice must be made by
33 certified mail, return receipt requested, or by personal service.

34 (4) The department shall not issue a notice of noncompliance with
35 a child support order under this section when the department can
36 withhold the responsible parent's earnings under RCW 26.23.060 in an
37 amount sufficient to ensure the payment of current support and a
38 reasonable amount towards arrears.

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

4 (a) The parent may request an adjudicative proceeding to contest
5 the issue of compliance. The only issues that may be considered at the
6 adjudicative proceeding are whether the parent is required to pay child
7 support under a child support order and whether the parent is in
8 compliance with that order;

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

12 (c) If the parent requests an adjudicative proceeding within twenty
13 days of service, the department will stay action to certify the parent
14 to the department of licensing and any licensing entity for
15 noncompliance with a child support order pending entry of a written
16 decision after the adjudicative proceeding;

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

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

31 (f) If the department certifies the responsible parent to the
32 department of licensing and a licensing entity for noncompliance with
33 a child support order, the licensing entity will suspend the parent's
34 license and the department of licensing will suspend any driver's
35 license that the parent holds until the parent provides the department
36 of licensing and the licensing entity with a written release from the
37 department stating that the responsible parent is in compliance with
38 the child support order;

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

4 (h) If after receiving the notice of noncompliance with a child
5 support order, the responsible parent files a motion to modify support
6 with the court or requests the department to amend a support obligation
7 established by an administrative decision, the department or the court
8 may, for up to one hundred eighty days, stay action to certify the
9 parent to the department of licensing and any licensing entity for
10 noncompliance with a child support order. If a motion for modification
11 of a court or administrative order for child support is pending prior
12 to service of the notice, any action to certify the parent to a
13 licensing entity for noncompliance with a child support order shall be
14 automatically stayed until entry of a final order or decision in the
15 modification proceedings. The responsible parent has the obligation to
16 notify the department that a modification proceeding is pending and
17 provide a copy of the motion or request for modification; and

18 (i) If the responsible parent subsequently becomes in compliance
19 with the child support order, the department will promptly provide the
20 parent with a written release stating that the parent is in compliance
21 with the order, and the parent may request that the licensing entity or
22 the department of licensing reinstate the suspended license.

23 (6) A responsible parent may request an adjudicative proceeding
24 upon service of the notice described in subsection (3) of this section.
25 The request for an adjudicative proceeding must be received by the
26 department within twenty days of service. The request must be in
27 writing and indicate the current mailing address and daytime phone
28 number, if available, of the responsible parent. The proceedings under
29 this subsection shall be conducted in accordance with the requirements
30 of chapter 34.05 RCW. The issues that may be considered at the
31 adjudicative proceeding are limited to whether the responsible parent
32 is required to pay child support under a child support order and
33 whether the responsible parent is in compliance with the order.

34 (7) The decision resulting from the adjudicative proceeding must be
35 in writing and inform the responsible parent of all rights to review.
36 The parent's copy of the decision may be sent by regular mail to the
37 parent's most recent address of record.

38 (8) If a responsible parent contacts the department's division of
39 child support office indicated on the notice of noncompliance within

1 twenty days of service of the notice and requests arrangement of a
2 payment schedule, the department shall stay the certification of
3 noncompliance during negotiation of the schedule for payment of
4 arrears. In no event shall the stay continue for more than thirty days
5 from the date of contact by the parent. The department shall make good
6 faith efforts to establish a schedule for payment of arrears that is
7 fair and reasonable, and that considers the financial situation of the
8 responsible parent and the needs of all children who rely on the
9 responsible parent for support. The schedule for repayment of arrears
10 must be calculated with consideration of the responsible parent's
11 ability to pay. If the parent establishes that he or she is unable to
12 make payments towards arrears and is not voluntarily unemployed or
13 underemployed, the department shall not certify the parent as being in
14 noncompliance with a support order. If the responsible parent
15 establishes that he or she is unable to make payments towards the
16 current child support obligation and is not voluntarily unemployed or
17 underemployed, the department shall provide the responsible parent
18 information on procedures and forms required for seeking a modification
19 of the child support obligation and a stay of the certification of
20 noncompliance. At the end of the thirty days, if no payment schedule
21 has been agreed to in writing and the responsible parent has not
22 established inability to pay as provided in this subsection, the
23 department shall proceed with certification of noncompliance.

24 (9) If a responsible parent timely requests an adjudicative
25 proceeding to contest the issue of compliance, the department may not
26 certify the name of the parent to the department of licensing or a
27 licensing entity for noncompliance with a child support order unless
28 the adjudicative proceeding results in a finding that the responsible
29 parent is not in compliance with the order.

30 (10) The department may certify in writing to the department of
31 licensing and any appropriate licensing entity the name of a
32 responsible parent who is not in compliance with a child support order
33 if:

34 (a) The responsible parent does not timely request an adjudicative
35 proceeding upon service of a notice issued under subsection (3) of this
36 section and is not in compliance with a child support order twenty-one
37 days after service of the notice;

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

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

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

6 The department shall send by regular mail a copy of any
7 certification of noncompliance filed with the department of licensing
8 or a licensing entity to the responsible parent at the responsible
9 parent's most recent address of record.

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

16 (12) When a responsible parent who is served notice under
17 subsection (3) of this section subsequently complies with the child
18 support order, the department shall promptly provide the parent with a
19 written release stating that the responsible parent is in compliance
20 with the order.

21 (13) The department may adopt rules to implement and enforce the
22 requirements of this section.

23 (14) Nothing in this section prohibits a responsible parent from
24 filing a motion to modify support with the court or from requesting the
25 department to amend a support obligation established by an
26 administrative decision. If there is a reasonable likelihood that the
27 motion or request will significantly change the amount of the arrears,
28 the department or the court may, for up to one hundred eighty days,
29 stay action to certify the responsible parent to the department of
30 licensing and any licensing entity for noncompliance with a child
31 support order. If a motion for modification of a court or
32 administrative order for child support is pending prior to service of
33 the notice, any action to certify the parent to a licensing entity for
34 noncompliance with a child support order shall be automatically stayed
35 until entry of a final order or decision in the modification
36 proceedings. The responsible parent has the obligation to notify the
37 department that a modification proceeding is pending and provide a copy
38 of the motion or request for modification.

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

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

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

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

33 (a) Name;

34 (b) Date of birth;

35 (c) Address of record;

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

38 (e) Type of license;

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

4 **Sec. 4.** RCW 74.20A.020 and 1990 St. ASCE c 2 s 15 are each amended
5 to read as follows:

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

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

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

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

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

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

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

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

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

33 ((+6+)) (7) "Administrative order" means any determination,
34 finding, decree, or order for support pursuant to RCW 74.20A.055, or by
35 an agency of another state pursuant to a substantially similar
36 administrative process, establishing the existence of a support
37 obligation and ordering the payment of a set or determinable amount of
38 support moneys to satisfy the support obligation.

1 (~~(7)~~) (8) "Responsible parent" means a natural parent, adoptive
2 parent, or stepparent of a dependent child or a person who has signed
3 an affidavit acknowledging paternity which has been filed with the
4 state office of vital statistics.

5 (~~(8)~~) (9) "Stepparent" means the present spouse of the person who
6 is either the mother, father, or adoptive parent of a dependent child,
7 and such status shall exist until terminated as provided for in RCW
8 26.16.205.

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

15 (~~(10)~~) (11) "Support debt" means any delinquent amount of support
16 moneys which is due, owing, and unpaid under a superior court order or
17 an administrative order, a debt for the payment of expenses for the
18 reasonable or necessary care, support, and maintenance, including
19 medical expenses, of a dependent child or other person for whom a
20 support obligation is owed; or a debt under RCW 74.20A.100 or
21 74.20A.270. Support debt also includes any accrued interest, fees, or
22 penalties charged on a support debt, and attorneys fees and other costs
23 of litigation awarded in an action to establish and enforce a support
24 obligation or debt.

25 (~~(11)~~) (12) "State" means any state or political subdivision,
26 territory, or possession of the United States, the District of
27 Columbia, and the Commonwealth of Puerto Rico.

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

30 In furtherance of the public policy of increasing collection of
31 child support and to assist in evaluation of the program established in
32 section 2 of this act, the department shall report the following to the
33 legislature and the governor on December 1, 1997, and annually
34 thereafter:

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

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

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

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

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

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

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

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

15 (9) Recommendations for the addition of specific licenses in the
16 program or exclusion of specific licenses from the program, and reasons
17 for such recommendations; and

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

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

22 The department is authorized to suspend the license of a driver
23 upon a showing by its records or other sufficient evidence that the
24 licensee:

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

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

30 (3) Has been convicted of offenses against traffic regulations
31 governing the movement of vehicles, or found to have committed traffic
32 infractions, with such frequency as to indicate a disrespect for
33 traffic laws or a disregard for the safety of other persons on the
34 highways;

35 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
36 ((or))

37 (5) Has failed to respond to a notice of traffic infraction, failed
38 to appear at a requested hearing, violated a written promise to appear

1 in court, or has failed to comply with the terms of a notice of traffic
2 infraction or citation, as provided in RCW 46.20.289; (~~or~~)

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

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

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

10 (1) The department shall not suspend a driver's license or
11 privilege to drive a motor vehicle on the public highways for a fixed
12 period of more than one year, except as specifically permitted under
13 RCW 46.20.342 or other provision of law. Except for a suspension under
14 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
15 privilege of any person is suspended by reason of a conviction, a
16 finding that a traffic infraction has been committed, pursuant to
17 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
18 suspension shall remain in effect until the person gives and thereafter
19 maintains proof of financial responsibility for the future as provided
20 in chapter 46.29 RCW. If the suspension is the result of a violation
21 of RCW 46.61.502 or 46.61.504, the department shall determine the
22 person's eligibility for licensing based upon the reports provided by
23 the alcoholism agency or probation department designated under RCW
24 46.61.5056 and shall deny reinstatement until enrollment and
25 participation in an approved program has been established and the
26 person is otherwise qualified. Whenever the license or driving
27 privilege of any person is suspended as a result of certification of
28 noncompliance with a child support order under chapter 74.20A RCW, the
29 suspension shall remain in effect until the person provides a written
30 release issued by the department of social and health services stating
31 that the person is in compliance with the order. If a driver's license
32 is suspended under chapter 74.20A RCW, the motor vehicle record for the
33 suspended driver shall include a notation that explains the reason for
34 the suspension. The department shall not issue to the person a new,
35 duplicate, or renewal license until the person pays a reissue fee of
36 twenty dollars. If the suspension is the result of a violation of RCW
37 46.61.502 or 46.61.504, or is the result of administrative action under
38 RCW 46.20.308, the reissue fee shall be fifty dollars.

1 (2) Any person whose license or privilege to drive a motor vehicle
2 on the public highways has been revoked, unless the revocation was for
3 a cause which has been removed, is not entitled to have the license or
4 privilege renewed or restored until: (a) After the expiration of one
5 year from the date the license or privilege to drive was revoked; (b)
6 after the expiration of the applicable revocation period provided by
7 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for
8 persons convicted of vehicular homicide; or (d) after the expiration of
9 the applicable revocation period provided by RCW 46.20.265. After the
10 expiration of the appropriate period, the person may make application
11 for a new license as provided by law together with a reissue fee in the
12 amount of twenty dollars, but if the revocation is the result of a
13 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee
14 shall be fifty dollars. If the revocation is the result of a violation
15 of RCW 46.61.502 or 46.61.504, the department shall determine the
16 person's eligibility for licensing based upon the reports provided by
17 the alcoholism agency or probation department designated under RCW
18 46.61.5056 and shall deny reissuance of a license, permit, or privilege
19 to drive until enrollment and participation in an approved program has
20 been established and the person is otherwise qualified. Except for a
21 revocation under RCW 46.20.265, the department shall not then issue a
22 new license unless it is satisfied after investigation of the driving
23 ability of the person that it will be safe to grant the privilege of
24 driving a motor vehicle on the public highways, and until the person
25 gives and thereafter maintains proof of financial responsibility for
26 the future as provided in chapter 46.29 RCW. For a revocation under
27 RCW 46.20.265, the department shall not issue a new license unless it
28 is satisfied after investigation of the driving ability of the person
29 that it will be safe to grant that person the privilege of driving a
30 motor vehicle on the public highways.

31 (3) Whenever the driver's license of any person is suspended
32 pursuant to Article IV of the nonresident violators compact or RCW
33 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
34 to the person any new or renewal license until the person pays a
35 reissue fee of twenty dollars. If the suspension is the result of a
36 violation of the laws of this or any other state, province, or other
37 jurisdiction involving (a) the operation or physical control of a motor
38 vehicle upon the public highways while under the influence of
39 intoxicating liquor or drugs, or (b) the refusal to submit to a

1 chemical test of the driver's blood alcohol content, the reissue fee
2 shall be fifty dollars.

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

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

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

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

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

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

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

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

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

1 and health services stating that the individual is in compliance with
2 the child support order.

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

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

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

17 AUCTIONEERS. (1) No license shall be issued by the department to
18 any person who has been convicted of forgery, embezzlement, obtaining
19 money under false pretenses, extortion, criminal conspiracy, fraud,
20 theft, receiving stolen goods, unlawful issuance of checks or drafts,
21 or other similar offense, or to any partnership of which the person is
22 a member, or to any association or corporation of which the person is
23 an officer or in which as a stockholder the person has or exercises a
24 controlling interest either directly or indirectly.

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

28 (a) Misrepresentation or concealment of material facts in obtaining
29 a license;

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

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

34 (d) Misleading or false advertising;

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

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

3 (g) Nonpayment of an administrative fine prior to renewal of a
4 license;

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

7 (i) Any other violations of this chapter.

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

17 NEW SECTION. Sec. 13. A new section is added to chapter 18.16 RCW
18 to read as follows:

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

28 NEW SECTION. Sec. 14. A new section is added to chapter 18.20 RCW
29 to read as follows:

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

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

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

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

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

12 (a) One year;

13 (b) Until the bond expires; or

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

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

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

24 (5) The department shall immediately suspend the certificate of
25 registration of a contractor who has been certified by the department
26 of social and health services as a person who is not in compliance with
27 a child support order as provided in section 2 of this act. The
28 certificate of registration shall not be reissued or renewed unless the
29 person provides to the department a written release from the department
30 of social and health services stating that he or she is in compliance
31 with the child support order and the person has continued to meet all
32 other requirements for certification during the suspension.

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

35 DEBT ADJUSTERS. The department shall immediately suspend the
36 license of a person who has been certified pursuant to section 2 of
37 this act by the department of social and health services as a person

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

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

9 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the
10 following powers and duties:

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

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

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

14 ((and))

15 (4) To immediately suspend the license of a person who has been
16 certified pursuant to section 2 of this act by the department of social
17 and health services as a person who is not in compliance with a child
18 support order; and

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

22 NEW SECTION. **Sec. 18.** A new section is added to chapter 18.39 RCW
23 to read as follows:

24 EMBALMERS AND FUNERAL DIRECTORS. In the case of suspension for
25 failure to comply with a child support order under chapter 74.20A RCW,
26 if the person has continued to meet all other requirements for
27 reinstatement during the suspension, reissuance of a license shall be
28 automatic upon the director's receipt of a written release issued by
29 the department of social and health services stating that the
30 individual is in compliance with the child support order.

31 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.43 RCW
32 to read as follows:

33 ENGINEERS AND LAND SURVEYORS. The board shall immediately suspend
34 the registration of a person who has been certified pursuant to section
35 2 of this act by the department of social and health services as a
36 person who is not in compliance with a child support order. If the

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

6 NEW SECTION. **Sec. 20.** A new section is added to chapter 18.44 RCW
7 to read as follows:

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

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

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

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

32 RCW 43.70.115 governs notice of a license denial, revocation,
33 suspension, or modification and provides the right to an adjudicative
34 proceeding.

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

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

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

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

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

24 REAL ESTATE BROKERS AND SALESPERSONS. The director shall
25 immediately suspend the license of a broker or salesperson who has been
26 certified pursuant to section 2 of this act by the department of social
27 and health services as a person who is not in compliance with a child
28 support order. If the person has continued to meet all other
29 requirements for reinstatement during the suspension, reissuance of the
30 license shall be automatic upon the director's receipt of a written
31 release issued by the department of social and health services stating
32 that the person is in compliance with the child support order.

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

35 LANDSCAPE ARCHITECTS. (1) The director may refuse to renew, or may
36 suspend or revoke, a certificate of registration to use the titles

1 landscape architect, landscape architecture, or landscape architectural
2 in this state upon the following grounds:

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

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

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

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

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

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

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

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

30 ~~((2))~~ (b) For fraud or deception in reporting under RCW
31 18.104.050;

32 ~~((3))~~ (c) For violating the provisions of this chapter, or of any
33 lawful rule or regulation of the department or the department of
34 health.

35 (2) The director shall immediately suspend any license issued under
36 this chapter if the holder of the license has been certified pursuant
37 to section 2 of this act by the department of social and health
38 services as a person who is not in compliance with a child support

1 order. If the person has continued to meet all other requirements for
2 reinstatement during the suspension, reissuance of the license shall be
3 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 child support order.

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

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

14 NEW SECTION. Sec. 27. A new section is added to chapter 18.106
15 RCW to read as follows:

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

26 NEW SECTION. Sec. 28. A new section is added to chapter 18.130
27 RCW to read as follows:

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

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

35 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
36 authority has the following authority:

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

3 (2) To investigate all complaints or reports of unprofessional
4 conduct as defined in this chapter and to hold hearings as provided in
5 this chapter;

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

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

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

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

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

17 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
18 or the office of administrative hearings as authorized in chapter 34.12
19 RCW to conduct hearings. The disciplining authority shall make the
20 final decision regarding disposition of the license unless the
21 disciplining authority elects to delegate in writing the final decision
22 to the presiding officer;

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

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

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

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

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

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

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

4 (16) To review and audit the records of licensed health facilities'
5 or services' quality assurance committee decisions in which a
6 licensee's practice privilege or employment is terminated or
7 restricted. Each health facility or service shall produce and make
8 accessible to the disciplining authority the appropriate records and
9 otherwise facilitate the review and audit. Information so gained shall
10 not be subject to discovery or introduction into evidence in any civil
11 action pursuant to RCW 70.41.200(3);

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

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

18 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. A person whose
19 license has been suspended or revoked under this chapter may petition
20 the disciplining authority for reinstatement after an interval as
21 determined by the disciplining authority in the order. The
22 disciplining authority shall hold hearings on the petition and may deny
23 the petition or may order reinstatement and impose terms and conditions
24 as provided in RCW 18.130.160 and issue an order of reinstatement. The
25 disciplining authority may require successful completion of an
26 examination as a condition of reinstatement.

27 A person whose license has been suspended for noncompliance with a
28 child support order under section 2 of this act may petition for
29 reinstatement at any time by providing the disciplining authority a
30 written release issued by the department of social and health services
31 stating that the person is in compliance with the child support order.
32 If the person has continued to meet all other requirements for
33 reinstatement during the suspension, the disciplining authority shall
34 automatically reissue the person's license upon receipt of the release,
35 and payment of a reinstatement fee, if any.

36 NEW SECTION. **Sec. 31.** A new section is added to chapter 18.140
37 RCW to read as follows:

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

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

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

22 **Sec. 33.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
23 read as follows:

24 FIRE SPRINKLER SYSTEM CONTRACTORS. (1) The state director of fire
25 protection may refuse to issue or renew or may suspend or revoke the
26 privilege of a licensed fire protection sprinkler system contractor or
27 the certificate of a certificate of competency holder to engage in the
28 fire protection sprinkler system business or in lieu thereof, establish
29 penalties as prescribed by Washington state law, for any of the
30 following reasons:

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

34 (b) Conviction of a felony;

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

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

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

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

9 (2) The state director of fire protection shall revoke the license
10 of a licensed fire protection sprinkler system contractor or the
11 certificate of a certificate of competency holder who engages in the
12 fire protection sprinkler system business while the license or
13 certificate of competency is suspended.

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

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

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

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

1 NEW SECTION. **Sec. 35.** A new section is added to chapter 18.170
2 RCW to read as follows:

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

12 NEW SECTION. **Sec. 36.** A new section is added to chapter 18.175
13 RCW to read as follows:

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

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

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

34 NEW SECTION. **Sec. 38.** A new section is added to chapter 19.28 RCW
35 to read as follows:

1 ELECTRICIANS. The department shall immediately suspend any
2 electrical contractor license or electrical contractor administrator
3 certificate issued under this chapter if the holder of the license or
4 certificate has been certified pursuant to section 2 of this act by the
5 department of social and health services as a person who is not in
6 compliance with a child support order. If the person has continued to
7 meet all other requirements for reinstatement during the suspension,
8 reissuance of the license or 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 child support order.

12 **Sec. 39.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
13 read as follows:

14 This section governs the denial of an application for a license or
15 the suspension, revocation, or modification of a license by the
16 department.

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

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

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

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

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

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

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

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

33 NEW SECTION. Sec. 40. A new section is added to chapter 74.20A
34 RCW to read as follows:

35 In order to be eligible for aid to families with dependent
36 children, applicants must, at the time of application for assistance,
37 provide the names of both parents of their child or children, whether

1 born or unborn, unless the applicant meets federal criteria for
2 refusing such identification.

3 NEW SECTION. **Sec. 41.** A new section is added to chapter 26.18 RCW
4 to read as follows:

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

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

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

10 (c) Imprisonment for the crime of family nonsupport under RCW
11 26.20.035.

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

17 NEW SECTION. **Sec. 42.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 43.** Section captions as used in this act do not
22 constitute any part of the law.

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