

1 **2SHB 2798 - H AMD 996 RULED BEYOND SCOPE AND OBJECT 2-11-94**

2 By Representatives Heavey and Scott

3 On page 10, after line 11, insert the following:

4 "NEW SECTION. Sec. 18. A new section is added to chapter
5 26.26. RCW to read as follows:

6 (1) A person is guilty of the crime of failure to pay child
7 support if:

8 (a) The court determines in two or more separate paternity
9 actions filed under this chapter that the person is the father of
10 two or more children born of different mothers who were under the
11 age of twenty years old at the time of birth;

12 (b) The father is at least three years older than both of the
13 mothers;

14 (c) A court order or administrative order for support has been
15 entered in each case which obligates the father to pay child
16 support; and

17 (d) The father is two or more months behind in current child
18 support payments in both cases as provided in the court or
19 administrative order.

20 (2) It is an affirmative defense to the crime of failure to
21 pay child support if the person proves by a preponderance of the
22 evidence that the failure to pay child support was not wilful and
23 due to circumstances beyond the person's control."

EFFECT: Makes it a class C felony for a father to be two or more months behind in child support in two or more cases where he is the father of children by different mothers, the women were teen mothers, and the father is three or more years older than the mothers.