

2 E2SSB 5375 - H COMM AMD  
3 By Committee on Law & Justice

4

5 Strike everything after the enacting clause and insert the  
6 following:

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

22 In the implementation and management of this program, it is the  
23 legislature's intent that the objective of the department of social and  
24 health services be to obtain payment in full of arrears, or where that  
25 is not possible, to enter into agreements with delinquent obligors to  
26 make timely support payments and make reasonable payments towards the  
27 arrears. The legislature intends that if the obligor refuses to  
28 cooperate in establishing a fair and reasonable payment schedule for  
29 arrears, or if such payment schedule would cause a substantial  
30 hardship, or refuses to make timely support payments, the department  
31 shall proceed with certification to a licensing entity or the  
32 department of licensing that the person is not in compliance with a  
33 child support order.

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

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

3 (a) "Licensing entity" includes any department, board, commission,  
4 or other organization of the state authorized to issue, renew, suspend,  
5 or revoke a license authorizing an individual to engage in a business,  
6 occupation, profession, industry, or the operation of a motor vehicle,  
7 and includes the Washington state supreme court, to the extent that a  
8 rule has been adopted by the court to implement suspension of licenses  
9 related to the practice of law.

10 (b) "Noncompliance with a child support order" means a responsible  
11 parent has:

12 (i) Accumulated arrears totaling more than six months of child  
13 support payments;

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

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

20 (c) "License" means a license, certificate, registration, permit,  
21 approval, or other similar document issued by a licensing entity  
22 evidencing admission to or granting authority to engage in a  
23 profession, occupation, business, industry, or the operation of a motor  
24 vehicle.

25 (d) "Licensee" means any individual holding a license, certificate,  
26 registration, permit, approval, or other similar document issued by a  
27 licensing entity evidencing admission to or granting authority to  
28 engage in a profession, occupation, business, industry, or the  
29 operation of a motor vehicle.

30 (2) The department may serve upon a responsible parent a notice  
31 informing the responsible parent of the department's intent to submit  
32 the parent's name to the department of licensing and any appropriate  
33 licensing entity as a licensee who is not in compliance with a child  
34 support order. The department shall attach a copy of the responsible  
35 parent's child support order to the notice. Service of the notice must  
36 be by certified mail, return receipt requested. If, after seven  
37 mailing days, the department does not receive a return receipt, service  
38 shall be by personal service.

1 (3) Before issuing a notice of noncompliance with a support order  
2 under this section, the department shall employ other support  
3 enforcement mechanisms for at least two months and for as long as the  
4 department is receiving funds in an amount sufficient to ensure the  
5 payment of current support and a reasonable amount towards the support  
6 debt.

7 (4) The notice of noncompliance must include the address and  
8 telephone number of the department's division of child support office  
9 that issues the notice and must inform the responsible parent that:

10 (a) The parent may request an adjudicative proceeding to contest  
11 the issue of compliance. The only issues that may be considered at the  
12 adjudicative proceeding are whether the parent is required to pay child  
13 support under a child support order, whether the parent is in  
14 compliance with that order, and whether the responsible parent has  
15 shown that suspension or not issuing or not renewing a license would  
16 create a significant hardship to the responsible parent, to the  
17 responsible parent's employees, to legal dependents residing in the  
18 responsible parent's household, or to persons, businesses, or other  
19 entities served by the responsible parent;

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

23 (c) If the parent requests an adjudicative proceeding within twenty  
24 days of service, the department will stay action to certify the parent  
25 to the department of licensing and any licensing entity for  
26 noncompliance with a child support order pending entry of a written  
27 decision after the adjudicative proceeding;

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

33 (e) The department will stay action to certify the parent to the  
34 department of licensing and any licensing entity for noncompliance if  
35 the parent agrees to make timely payments of current support and agrees  
36 to a reasonable payment schedule for payment of the arrears. It is the  
37 parent's responsibility to contact in person or by mail the  
38 department's division of child support office indicated on the notice  
39 within twenty days of service of the notice to arrange for a payment

1 schedule. The department may stay certification for up to thirty days  
2 after contact from a parent to arrange for a payment schedule;

3 (f) If the department certifies the responsible parent to the  
4 department of licensing and a licensing entity for noncompliance with  
5 a child support order, the licensing entity will suspend, not renew, or  
6 not issue the parent's license and the department of licensing will  
7 suspend, not renew, or not issue any driver's license that the parent  
8 holds until the parent provides the department of licensing and the  
9 licensing entity with a written release from the department stating  
10 that the responsible parent is in compliance with the child support  
11 order;

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

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

29 (i) If the responsible parent subsequently becomes in compliance  
30 with the child support order, the department will promptly provide the  
31 parent with a written release stating that the parent is in compliance  
32 with the order, and the parent may request that the licensing entity or  
33 the department of licensing reinstate the suspended license.

34 (5) A responsible parent may request an adjudicative proceeding  
35 upon service of the notice described in subsection (2) of this section.  
36 The request for an adjudicative proceeding must be received by the  
37 department within twenty days of service. The request must be in  
38 writing and indicate the current mailing address and daytime phone  
39 number, if available, of the responsible parent. The proceedings under

1 this subsection shall be conducted in accordance with the requirements  
2 of chapter 34.05 RCW. The issues that may be considered at the  
3 adjudicative proceeding are limited to whether the responsible parent  
4 is required to pay child support under a child support order, whether  
5 the responsible parent is in compliance with the order, and whether the  
6 responsible parent has shown that suspension or not issuing or not  
7 renewing a license would create a significant hardship to the  
8 responsible parent, to the responsible parent's employees, to legal  
9 dependents residing in the responsible parent's household, or to  
10 persons, businesses, or other entities served by the responsible  
11 parent.

12 (6) 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 (7) 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 shall stay the certification of  
20 noncompliance during negotiation of the schedule for payment of  
21 arrears. In no event shall the stay continue for more than thirty days  
22 from the date of contact by the parent. The department shall establish  
23 a schedule for payment of arrears that is fair and reasonable, and that  
24 considers the financial situation of the responsible parent and whether  
25 the schedule for payment would create a significant hardship to the  
26 responsible parent, to the responsible parent's employees, to legal  
27 dependents residing in the responsible parent's household, or to  
28 persons, businesses, or other entities served by the responsible  
29 parent. At the end of the thirty days, if no payment schedule has been  
30 agreed to in writing, the responsible parent may file an application  
31 for an adjudicative hearing to determine a schedule for the payment of  
32 arrearages. The presiding officer shall apply the standards specified  
33 in this section to determine an appropriate arrearages payment  
34 schedule. The responsible parent may petition the superior court for  
35 a review of the administrative order establishing the arrearages  
36 payment schedule. The judicial review of the administrative hearing  
37 shall be de novo and the court shall apply the standards specified in  
38 this section in determining the appropriate arrearages payment  
39 schedule.

1 (8) If a responsible parent timely requests an adjudicative  
2 proceeding to contest the issue of compliance, the department may not  
3 certify the name of the parent to the department of licensing or a  
4 licensing entity for noncompliance with a child support order unless  
5 the adjudicative proceeding results in a finding that the responsible  
6 parent is not in compliance with the order.

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

11 (a) The responsible parent does not timely request an adjudicative  
12 proceeding upon service of a notice issued under subsection (2) of this  
13 section and is not in compliance with a child support order twenty-one  
14 days after service of the notice;

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

17 (c) The court enters a judgment on a petition for judicial review  
18 that finds the responsible parent is not in compliance with a child  
19 support order.

20 The department shall send by certified mail, return receipt  
21 requested a copy of any certification of noncompliance filed with the  
22 department of licensing or a licensing entity to the responsible parent  
23 at the responsible parent's most recent address of record.

24 (10) The department of licensing and a licensing entity shall  
25 notify a responsible parent certified by the department under  
26 subsection (9) of this section, without undue delay, that the parent's  
27 driver's license or other license has been suspended because the  
28 parent's name has been certified by the department as a responsible  
29 parent who is not in compliance with a child support order.

30 (11) When a responsible parent who is served notice under  
31 subsection (2) of this section subsequently complies with the child  
32 support order, the department shall promptly provide the parent with a  
33 written release stating that the responsible parent is in compliance  
34 with the order.

35 (12) The department may adopt rules to implement and enforce the  
36 requirements of this section.

37 (13) Nothing in this section prohibits a responsible parent from  
38 filing a motion to modify support with the court or from requesting the  
39 department to amend a support obligation established by an

1 administrative decision. If there is a reasonable likelihood that the  
2 motion or request will significantly change the amount of the child  
3 support obligation, the department or the court may, for up to one  
4 hundred eighty days, stay action to certify the responsible parent to  
5 the department of licensing and any licensing entity for noncompliance  
6 with a child support order. If a motion for modification of a court or  
7 administrative order for child support is pending prior to service of  
8 the notice, any action to certify the parent to a licensing entity for  
9 noncompliance with a child support order shall be automatically stayed  
10 until entry of a final order or decision in the modification  
11 proceedings. The responsible parent has the obligation to notify the  
12 department that a modification proceeding is pending and provide a copy  
13 of the motion or request for modification.

14 (14) The department of licensing and a licensing entity may issue,  
15 renew, reinstate, or otherwise extend a license in accordance with the  
16 licensing entity's or the department of licensing's rules after the  
17 licensing entity or the department of licensing receives a copy of the  
18 written release specified in subsection (11) of this section. The  
19 department of licensing and a licensing entity may waive any applicable  
20 requirement for reissuance, renewal, or other extension if it  
21 determines that the imposition of that requirement places an undue  
22 burden on the person and that waiver of the requirement is consistent  
23 with the public interest.

24 (15) Consistent with the intent of chapter . . . , Laws of 1996  
25 (this act), the department shall develop rules and procedures for  
26 implementing the requirements of this section and applying the  
27 standards provided in this section. The department shall deliver a  
28 copy of these rules and procedures to the appropriate committees of the  
29 senate and the house of representatives no later than June 30, 1997.

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

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

1 (2) On or before January 1, 1997, and quarterly thereafter, the  
2 department of social and health services and all licensing entities  
3 subject to section 2 of this act shall perform a comparison of  
4 responsible parents who are not in compliance with a child support  
5 order, as defined in section 2 of this act, with all licensees subject  
6 to chapter . . ., Laws of 1996 (this act). The comparison may be  
7 conducted electronically, or by any other means that is jointly  
8 agreeable between the department and the particular licensing entity.  
9 The data shared shall be limited to those items necessary to  
10 implementation of chapter . . ., Laws of 1996 (this act). The purpose  
11 of the comparison shall be to identify current licensees who are not in  
12 compliance with a child support order, and to provide to the department  
13 of social and health services the following information regarding those  
14 licensees:

- 15 (a) Name;
- 16 (b) Date of birth;
- 17 (c) Address of record;
- 18 (d) Federal employer identification number or social security  
19 number;
- 20 (e) Type of license;
- 21 (f) Effective date of license or renewal;
- 22 (g) Expiration date of license; and
- 23 (h) Active or inactive status.

24 NEW SECTION. Sec. 4. A new section is added to chapter 74.20A RCW  
25 to read as follows:

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

- 31 (1) The number of responsible parents identified as licensees  
32 subject to section 2 of this act;
- 33 (2) The number of responsible parents identified by the department  
34 as not in compliance with a child support order;
- 35 (3) The number of notices of noncompliance served upon responsible  
36 parents by the department;
- 37 (4) The number of responsible parents served a notice of  
38 noncompliance who request an adjudicative proceeding;



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

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

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

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

11 (9) Recommendations for the addition of specific licenses in the  
12 program or exclusion of specific licenses from the program, and reasons  
13 for such recommendations; and

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

16 **Sec. 5.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to read  
17 as follows:

18 The department is authorized to suspend the license of a driver  
19 upon a showing by its records or other sufficient evidence that the  
20 licensee:

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

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

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

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

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

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

1       (7) Has been certified by the department of social and health  
2 services as a person who is not in compliance with a child support  
3 order as provided in section 2 of this act, or is certified by a court  
4 as a person who is not in compliance with a residential or visitation  
5 order as provided in section 107 of this act.

6       **Sec. 6.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to read  
7 as follows:

8       (1) The department shall not suspend a driver's license or  
9 privilege to drive a motor vehicle on the public highways for a fixed  
10 period of more than one year, except as specifically permitted under  
11 RCW 46.20.342 or other provision of law. Except for a suspension under  
12 RCW 46.20.289 and 46.20.291(5), whenever the license or driving  
13 privilege of any person is suspended by reason of a conviction, a  
14 finding that a traffic infraction has been committed, pursuant to  
15 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the  
16 suspension shall remain in effect until the person gives and thereafter  
17 maintains proof of financial responsibility for the future as provided  
18 in chapter 46.29 RCW. If the suspension is the result of a violation  
19 of RCW 46.61.502 or 46.61.504, the department shall determine the  
20 person's eligibility for licensing based upon the reports provided by  
21 the alcoholism agency or probation department designated under RCW  
22 46.61.5056 and shall deny reinstatement until enrollment and  
23 participation in an approved program has been established and the  
24 person is otherwise qualified. Whenever the license or driving  
25 privilege of any person is suspended as a result of certification of  
26 noncompliance with a child support order under chapter 74.20A RCW or a  
27 residential or visitation order as provided in section 107 of this act,  
28 the suspension shall remain in effect until the person provides a  
29 written release issued by the department of social and health services  
30 or a court stating that the person is in compliance with the order.  
31 The department shall not issue to the person a new, duplicate, or  
32 renewal license until the person pays a reissue fee of twenty dollars.  
33 If the suspension is the result of a violation of RCW 46.61.502 or  
34 46.61.504, or is the result of administrative action under RCW  
35 46.20.308, the reissue fee shall be fifty dollars.

36       (2) Any person whose license or privilege to drive a motor vehicle  
37 on the public highways has been revoked, unless the revocation was for  
38 a cause which has been removed, is not entitled to have the license or

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

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

1        NEW SECTION.    **Sec. 7.**    A new section is added to chapter 48.22 RCW  
2 to read as follows:

3        A motor vehicle liability insurance policy that contains any  
4 provision excluding insurance coverage for an unlicensed driver shall  
5 not apply for ninety days from the date of suspension in the event that  
6 the department of licensing suspends a driver's license solely for the  
7 nonpayment of child support as provided in chapter 74.20A RCW or for  
8 noncompliance with a residential or visitation order as provided in  
9 chapter 26.09 RCW.

10       NEW SECTION.    **Sec. 8.**    ATTORNEYS.    The legislature intends that the  
11 license suspension program established in chapter 74.20A RCW be  
12 implemented fairly to ensure that child support obligations are met.  
13 However, being mindful of the separations of powers and  
14 responsibilities among the branches of government, the legislature  
15 strongly encourages the state supreme court to adopt rules providing  
16 for suspension and denial of licenses related to the practice of law to  
17 those individuals who are in noncompliance with a support order.

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

20       ATTORNEYS.    The Washington state supreme court may provide by rule  
21 that no person who has been certified by the department of social and  
22 health services as a person who is in noncompliance with a support  
23 order as provided in section 2 of this act, or is certified by a court  
24 as a person who is not in compliance with a residential or visitation  
25 order as provided in section 107 of this act may be admitted to the  
26 practice of law in this state, and that any member of the Washington  
27 state bar association who has been certified by the department of  
28 social and health services as a person who is in noncompliance with a  
29 support order as provided in section 2 of this act or by a court as in  
30 noncompliance with a residential or visitation order under section 107  
31 of this act shall be immediately suspended from membership.    The  
32 court's rules may provide for review of an application for admission or  
33 reinstatement of membership after the department of social and health  
34 services or a court has issued a written release stating that the  
35 person is in compliance with the order.

1        NEW SECTION.    **Sec. 10.**    A new section is added to chapter 18.04 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 2 of this act, or is certified by a court  
6 as a person who is not in compliance with a residential or visitation  
7 order as provided in section 107 of this act may be issued a  
8 certificate of "certified public accountant." The application of a  
9 person so certified by the department of social and health services or  
10 by a court may be reviewed for issuance of a certificate under this  
11 chapter after the person provides the board a written release issued by  
12 the department of social and health services or a court stating that  
13 the person is in compliance with the order.

14        (2) The board shall immediately suspend the certificate or license  
15 of a person who either (a) has been certified pursuant to section 2 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, or (b) has been  
18 certified pursuant to section 107 of this act by a court as a person  
19 who is not in compliance with a residential or visitation order. If  
20 the person has continued to meet all other requirements for  
21 reinstatement during the suspension, reissuance of the license or  
22 certificate shall be automatic upon the board's receipt of a written  
23 release issued by the department of social and health services or a  
24 court stating that the licensee is in compliance with the order.

25        **Sec. 11.**    RCW 18.04.335 and 1992 c 103 s 13 are each amended to  
26 read as follows:

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

29        ~~((+1))~~ (a) Modify the suspension of, or reissue a certificate or  
30 license to, an individual whose certificate has been revoked or  
31 suspended; or

32        ~~((+2))~~ (b) Modify the suspension of, or reissue a license to a  
33 firm whose license has been revoked, suspended, or which the board has  
34 refused to renew.

35        (2) In the case of suspension for failure to comply with a support  
36 order under chapter 74.20A RCW, or a residential or visitation order as  
37 provided in section 107 of this act if the person has continued to meet  
38 all other requirements for reinstatement during the suspension,

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

5       **Sec. 12.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to read  
6 as follows:

7       (1) Except as provided in section 14 of this act, a certificate of  
8 registration shall be granted by the director to all qualified  
9 applicants who are certified by the board as having passed the required  
10 examination and as having given satisfactory proof of completion of the  
11 required experience.

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

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

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

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

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

1 registration for architects, be allowed to take the examination for  
2 architect registration on an equal basis with other applicants.

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

5 (1) Except as provided in section 14 of this act, a certificate of  
6 registration shall be granted by the director to all qualified  
7 applicants who are certified by the board as having passed the required  
8 examination and as having given satisfactory proof of completion of the  
9 required experience.

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

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

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

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

26 NEW SECTION. **Sec. 14.** A new section is added to chapter 18.08 RCW  
27 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 2 of this act, or is certified by a court  
31 as a person who is not in compliance with a residential or visitation  
32 order as provided in section 107 of this act may be issued a  
33 certificate of registration under this chapter. The application of a  
34 person so certified by the department of social and health services or  
35 by a court may be reviewed for issuance of a certificate of  
36 registration under this chapter after the person provides the board a

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

3 (2) The board shall immediately suspend the certificate of  
4 registration or certificate of authorization to practice architecture  
5 of a person who either (a) has been certified pursuant to section 2 of  
6 this act by the department of social and health services as a person  
7 who is not in compliance with a support order, or (b) has been  
8 certified pursuant to section 107 of this act by a court as a person  
9 who is not in compliance with a residential or visitation order. If  
10 the person has continued to meet other requirements for reinstatement  
11 during the suspension, reissuance of the certificate shall be automatic  
12 upon the board's receipt of a written release issued by the department  
13 of social and health services or a court stating that the individual is  
14 in compliance with the order.

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

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

25 (2) No license may be issued by the department to any person who  
26 has been certified by the department of social and health services as  
27 a person who is not in compliance with a support order as provided in  
28 section 2 of this act, or is certified by a court as a person who is  
29 not in compliance with a residential or visitation order as provided in  
30 section 107 of this act. The application of a person so certified by  
31 the department of social and health services or by a court may be  
32 reviewed for issuance of a license under this chapter after the person  
33 provides the board a written release issued by the department of social  
34 and health services or a court stating that the person is in compliance  
35 with the order.

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



1 (a) Misrepresentation or concealment of material facts in obtaining  
2 a license;

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

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

7 (d) Misleading or false advertising;

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

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

12 (g) Nonpayment of an administrative fine prior to renewal of a  
13 license;

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

16 (i) Any other violations of this chapter.

17 (4) The department shall immediately suspend the license of a  
18 person who either (a) has been certified pursuant to section 2 of this  
19 act by the department of social and health services as a person who is  
20 not in compliance with a support order, or (b) has been certified  
21 pursuant to section 107 of this act by a court as a person who is not  
22 in compliance with a residential or visitation order. If the person  
23 has continued to meet all other requirements for reinstatement during  
24 the suspension, reissuance of the license shall be automatic upon the  
25 department's receipt of a written release issued by the department of  
26 social and health services or a court stating that the licensee is in  
27 compliance with the order.

28 **Sec. 16.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to read  
29 as follows:

30 (1) Upon payment of the proper fee, except as provided in section  
31 17 of this act the director shall issue the appropriate license to any  
32 person who:

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

34 (b) Has completed and graduated from a course approved by the  
35 director of sixteen hundred hours of training in cosmetology, one  
36 thousand hours of training in barbering, five hundred hours of training  
37 in manicuring, five hundred hours of training in esthetics, and/or five  
38 hundred hours of training as an instructor-trainee; and

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

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

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

11 (4) The director may consult with the state board of health and the  
12 department of labor and industries in establishing training and  
13 examination requirements.

14 NEW SECTION. **Sec. 17.** A new section is added to chapter 18.16 RCW  
15 to read as follows:

16 (1) No person who has been certified by the department of social  
17 and health services as a person who is not in compliance with a support  
18 order as provided in section 2 of this act, or is certified by a court  
19 as a person who is not in compliance with a residential or visitation  
20 order as provided in section 107 of this act may be issued a license  
21 under this chapter. The application of a person so certified by the  
22 department of social and health services or by a court may be reviewed  
23 for issuance of a license under this chapter after the person provides  
24 the department a written release issued by the department of social and  
25 health services or a court stating that the person is in compliance  
26 with the order.

27 (2) The department shall immediately suspend the license of a  
28 person who either (a) has been certified pursuant to section 2 of this  
29 act by the department of social and health services as a person who is  
30 not in compliance with a support order, or (b) has been certified  
31 pursuant to section 107 of this act by a court as a person who is not  
32 in compliance with a residential or visitation order. If the person  
33 has continued to meet all other requirements for reinstatement during  
34 the suspension, reissuance of the license shall be automatic upon the  
35 department's receipt of a written release issued by the department of  
36 social and health services or a court stating that the licensee is in  
37 compliance with the order.

1        NEW SECTION.    **Sec. 18.**    A new section is added to chapter 18.20 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 2 of this act, or is certified by a court  
6 as a person who is not in compliance with a residential or visitation  
7 order as provided in section 107 of this act may be issued a license  
8 under this chapter.    The application of a person so certified by the  
9 department of social and health services or by a court may be reviewed  
10 for issuance of a license under this chapter after the person provides  
11 the department a written release issued by the department of social and  
12 health services or a court stating that the person is in compliance  
13 with the order.

14        (2) The department shall immediately suspend the license of a  
15 person who either (a) has been certified pursuant to section 2 of this  
16 act by the department of social and health services as a person who is  
17 not in compliance with a support order, or (b) has been certified  
18 pursuant to section 107 of this act by a court as a person who is not  
19 in compliance with a residential or visitation order.    If the person  
20 has continued to meet all other requirements for reinstatement during  
21 the suspension, reissuance of the license shall be automatic upon the  
22 department's receipt of a written release issued by the department of  
23 social and health services or a court stating that the licensee is in  
24 compliance with the order.

25        **Sec. 19.**    RCW 18.27.030 and 1992 c 217 s 1 are each amended to read  
26 as follows:

27        (1) An applicant for registration as a contractor shall submit an  
28 application under oath upon a form to be prescribed by the director and  
29 which shall include the following information pertaining to the  
30 applicant:

31        (a) Employer social security number.

32        (b) As applicable:    (i) The industrial insurance account number  
33 covering employees domiciled in Washington; and (ii) evidence of  
34 workers' compensation coverage in the applicant's state of domicile for  
35 the applicant's employees working in Washington who are not domiciled  
36 in Washington.

37        (c) Employment security department number.

38        (d) State excise tax registration number.

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

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

6 (g) The name and address of each partner if the applicant be a firm  
7 or partnership, or the name and address of the owner if the applicant  
8 be an individual proprietorship, or the name and address of the  
9 corporate officers and statutory agent, if any, if the applicant be a  
10 corporation. The information contained in such application shall be a  
11 matter of public record and open to public inspection.

12 (2) The department may verify the workers' compensation coverage  
13 information provided by the applicant under subsection (1)(b) of this  
14 section, including but not limited to information regarding the  
15 coverage of an individual employee of the applicant. If coverage is  
16 provided under the laws of another state, the department may notify the  
17 other state that the applicant is employing employees in Washington.

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

23 (4) Registration shall be denied if the applicant has been  
24 certified by the department of social and health services as a person  
25 who is not in compliance with a support order as provided in section 2  
26 of this act, or is certified by a court as a person who is not in  
27 compliance with a residential or visitation order as provided in  
28 section 107 of this act. The application of a person so certified by  
29 the department of social and health services or by a court may be  
30 reviewed and the person may be registered under this chapter if the  
31 person provides the department a written release issued by the  
32 department of social and health services or a court stating that the  
33 person is in compliance with the order.

34 **Sec. 20.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each  
35 amended to read as follows:

36 (1) A certificate of registration shall be valid for one year and  
37 shall be renewed on or before the expiration date. The department

1 shall issue to the applicant a certificate of registration upon  
2 compliance with the registration requirements of this chapter.

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

6 (a) One year;

7 (b) Until the bond expires; or

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

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

12 (4) If a contractor's surety bond or other security has an  
13 unsatisfied judgment against it or is canceled, or if the contractor's  
14 insurance policy is canceled, the contractor's registration shall be  
15 automatically suspended on the effective date of the impairment or  
16 cancellation. The department shall give notice of the suspension to  
17 the contractor.

18 (5) The department shall immediately suspend the certificate of  
19 registration of a contractor who has been certified by the department  
20 of social and health services as a person who either (a) is not in  
21 compliance with a support order as provided in section 2 of this act,  
22 or (b) has been certified pursuant to section 107 of this act by a  
23 court as a person who is not in compliance with a residential or  
24 visitation order. The certificate of registration shall not be  
25 reissued or renewed unless the person provides to the department a  
26 written release from the department of social and health services or a  
27 court stating that he or she is in compliance with the order and the  
28 person has continued to meet all other requirements for certification  
29 during the suspension.

30 **Sec. 21.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to read  
31 as follows:

32 Except as provided in section 22 of this act, the director shall  
33 issue a license to an applicant if the following requirements are met:

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

36 (2) Neither an individual applicant, nor any of the applicant's  
37 members if the applicant is a partnership or association, nor any of  
38 the applicant's officers or directors if the applicant is a

1 corporation: (a) Has ever been convicted of forgery, embezzlement,  
2 obtaining money under false pretenses, larceny, extortion, conspiracy  
3 to defraud or any other like offense, or has been disbarred from the  
4 practice of law; (b) has participated in a violation of this chapter or  
5 of any valid rules, orders or decisions of the director promulgated  
6 under this chapter; (c) has had a license to engage in the business of  
7 debt adjusting revoked or removed for any reason other than for failure  
8 to pay licensing fees in this or any other state; or (d) is an employee  
9 or owner of a collection agency, or process serving business.

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

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

13 (5) An individual applicant for an original license as a debt  
14 adjuster has passed an examination administered by the director, which  
15 examination may be oral or written, or partly oral and partly written,  
16 and shall be practical in nature and sufficiently thorough to ascertain  
17 the applicant's fitness. Questions on bookkeeping, credit adjusting,  
18 business ethics, agency, contracts, debtor and creditor relationships,  
19 trust funds and the provisions of this chapter shall be included in the  
20 examination. No applicant may use any books or other similar aids  
21 while taking the examination, and no applicant may take the examination  
22 more than three times in any twelve month period.

23 NEW SECTION. **Sec. 22.** A new section is added to chapter 18.28 RCW  
24 to read as follows:

25 (1) No person who has been certified by the department of social  
26 and health services as a person who is not in compliance with a support  
27 order as provided in section 2 of this act, or is certified by a court  
28 as a person who is not in compliance with a residential or visitation  
29 order as provided in section 107 of this act may be issued a license  
30 under this chapter. The application of a person so certified by the  
31 department of social and health services or by a court may be reviewed  
32 for issuance of a license under this chapter after the person provides  
33 the director a written release issued by the department of social and  
34 health services or a court stating that the person is in compliance  
35 with the order.

36 (2) The department shall immediately suspend the license of a  
37 person who either (a) has been certified pursuant to section 2 of this  
38 act by the department of social and health services as a person who is

1 not in compliance with a support order, or (b) has been certified  
2 pursuant to section 107 of this act by a court as a person who is not  
3 in compliance with a residential or visitation order. If the person  
4 has continued to meet all other requirements for reinstatement during  
5 the suspension, reissuance of the license shall be automatic upon the  
6 department's receipt of a written release issued by the department of  
7 social and health services or a court stating that the licensee is in  
8 compliance with the order.

9 **Sec. 23.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to  
10 read as follows:

11 The director shall have the following powers and duties:

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

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

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

15 (~~and~~)

16 (4) To deny issuing or immediately suspend the license of a person  
17 who has been certified pursuant to section 2 of this act by the  
18 department of social and health services as a person who is not in  
19 compliance with a support order, or (b) has been certified pursuant to  
20 section 107 of this act by a court as a person who is not in compliance  
21 with a residential or visitation order; and

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

25 NEW SECTION. **Sec. 24.** A new section is added to chapter 18.39 RCW  
26 to read as follows:

27 (1) In the case of a person who has been denied the issuance of a  
28 license under this chapter because the person was certified either (a)  
29 by the department of social and health services as a person who is not  
30 in compliance with section 2 of this act or (b) by a court as a person  
31 who is not in compliance with a residential or visitation order as  
32 provided in section 107 of this act, the application of that person may  
33 be reviewed by the director for issuance of a license after the person  
34 provides the director a written release issued by the department of  
35 social and health services or a court stating that the person is in  
36 compliance with the order.

1 (2) In the case of suspension for failure to comply with a support  
2 order under chapter 74.20A RCW or a residential or visitation order  
3 under chapter 26.09 RCW, if the person has continued to meet all other  
4 requirements for reinstatement during the suspension, reissuance of a  
5 license shall be automatic upon the director's receipt of a written  
6 release issued by the department of social and health services or a  
7 court stating that the individual is in compliance with the order.

8 NEW SECTION. **Sec. 25.** A new section is added to chapter 18.43 RCW  
9 to read as follows:

10 (1) No person who has been certified by the department of social  
11 and health services as a person who is not in compliance with a support  
12 order as provided in section 2 of this act, or is certified by a court  
13 as a person who is not in compliance with a residential or visitation  
14 order as provided in section 107 of this act may be issued a  
15 certificate of registration under this chapter. The application of a  
16 person so certified by the department of social and health services or  
17 by a court may be reviewed for issuance of a certificate of  
18 registration under this chapter after the person provides the board a  
19 written release issued by the department of social and health services  
20 or a court stating that the person is in compliance with the order.

21 (2) The board shall immediately suspend the registration of a  
22 person who either (a) has been certified pursuant to section 2 of this  
23 act by the department of social and health services as a person who is  
24 not in compliance with a support order, or (b) has been certified  
25 pursuant to section 107 of this act by a court as a person who is not  
26 in compliance with a residential or visitation order. If the person  
27 has continued to meet all other requirements for membership during the  
28 suspension, reissuance of the certificate of registration shall be  
29 automatic upon the board's receipt of a written release issued by the  
30 department of social and health services or a court stating that the  
31 person is in compliance with the order.

32 NEW SECTION. **Sec. 26.** A new section is added to chapter 18.44 RCW  
33 to read as follows:

34 (1) No person who has been certified by the department of social  
35 and health services as a person who is not in compliance with a support  
36 order as provided in section 2 of this act, or is certified by a court  
37 as a person who is not in compliance with a residential or visitation



1 order as provided in section 107 of this act may be issued a  
2 certificate of registration under this chapter. The application of a  
3 person so certified by the department of social and health services or  
4 by a court may be reviewed for issuance of a certificate of  
5 registration under this chapter after the person provides the  
6 department a written release issued by the department of social and  
7 health services or a court stating that the person is in compliance  
8 with the order.

9 (2) The department shall immediately suspend the certificate of  
10 registration of a person who either (a) has been certified pursuant to  
11 section 2 of this act by the department of social and health services  
12 as a person who is not in compliance with a support order, or (b) has  
13 been certified pursuant to section 107 of this act by a court as a  
14 person who is not in compliance with a residential or visitation order.  
15 If the person has continued to meet all other requirements for  
16 certification during the suspension, reissuance of the certificate  
17 shall be automatic upon the department's receipt of a written release  
18 issued by the department of social and health services or a court  
19 stating that the person is in compliance with the order.

20 **Sec. 27.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read  
21 as follows:

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

26 (2) The department shall deny a license in any case where the  
27 applicant has been certified under section 2 of this act by the  
28 department of social and health services as a person who is not in  
29 compliance with a support order, or is certified by a court as a person  
30 who is not in compliance with a residential or visitation order as  
31 provided in section 107 of this act. The application of a person so  
32 certified by the department of social and health services or by a court  
33 may be reviewed for issuance of a license under this chapter after the  
34 person provides the department a written release issued by the  
35 department of social and health services or a court stating that the  
36 person is in compliance with the order.

37 (3) The department shall immediately suspend the license of a  
38 person who either (a) has been certified pursuant to section 2 of this

1 act by the department of social and health services as a person who is  
2 not in compliance with a support order, or (b) has been certified  
3 pursuant to section 107 of this act by a court as a person who is not  
4 in compliance with a residential or visitation order. If the person  
5 has continued to meet all other requirements for reinstatement during  
6 the suspension, reissuance of the license shall be automatic upon the  
7 department's receipt of a written release issued by the department of  
8 social and health services or a court stating that the person is in  
9 compliance with the order.

10 RCW 43.70.115 governs notice of a license denial, revocation,  
11 suspension, or modification and provides the right to an adjudicative  
12 proceeding.

13 **Sec. 28.** RCW 18.51.054 and 1989 c 372 s 7 are each amended to read  
14 as follows:

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

18 (1) Operated a nursing home without a license or under a revoked or  
19 suspended license; or

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

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

26 (4) Willfully prevented, interfered with, or attempted to impede in  
27 any way (a) the work of any authorized representative of the department  
28 or (b) the lawful enforcement of any provision of this chapter or  
29 chapter 74.42 RCW; or

30 (5) Has a history of significant noncompliance with federal or  
31 state regulations in providing nursing home care. In deciding whether  
32 to deny a license under this section, the factors the department  
33 considers shall include the gravity and frequency of the noncompliance;  
34 or

35 (6) Has been certified pursuant to section 2 of this act by the  
36 department of social and health services, division of child support, as  
37 a person who is not in compliance with a support order, or is certified  
38 by a court as a person who is not in compliance with a residential or

1 visitation order as provided in section 107 of this act. The  
2 application of a person so certified by the department of social and  
3 health services or by a court may be reviewed for issuance of a license  
4 under this chapter after the person provides the department a written  
5 release issued by the department of social and health services,  
6 division of child support, or a court stating that the person is in  
7 compliance with the order.

8 NEW SECTION. Sec. 29. A new section is added to chapter 18.51 RCW  
9 to read as follows:

10 The department shall immediately suspend the license of a person  
11 who either (a) has been certified pursuant to section 2 of this act by  
12 the department of social and health services, division of support, as  
13 a person who is not in compliance with a child support order, or (b)  
14 has been certified pursuant to section 107 of this act by a court as a  
15 person who is not in compliance with a residential or visitation order.  
16 If the person has continued to meet all other requirements for  
17 reinstatement during the suspension, reissuance of the license shall be  
18 automatic upon the department's receipt of a written release issued by  
19 the division of child support or a court stating that the person is in  
20 compliance with the order.

21 NEW SECTION. Sec. 30. A new section is added to chapter 18.76 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 2 of this act, or is certified by a court  
26 as a person who is not in compliance with a residential or visitation  
27 order as provided in section 107 of this act may be issued a  
28 certificate under this chapter. The application of a person so  
29 certified by the department of social and health services or by a court  
30 may be reviewed for issuance of a certificate under this chapter after  
31 the person provides the department a written release issued by the  
32 department of social and health services or a court stating that the  
33 person is in compliance with the order.

34 (2) The department shall immediately suspend the certification of  
35 a poison center medical director or a poison information specialist who  
36 either (a) has been certified pursuant to section 2 of this act by the  
37 department of social and health services as a person who is not in

1 compliance with a support order, or (b) has been certified pursuant to  
2 section 107 of this act by a court as a person who is not in compliance  
3 with a residential or visitation order. If the person has continued to  
4 meet all other requirements for certification during the suspension,  
5 reissuance of the certification shall be automatic upon the  
6 department's receipt of a written release issued by the department of  
7 social and health services or a court stating that the person is in  
8 compliance with the order.

9 NEW SECTION. **Sec. 31.** A new section is added to chapter 18.85 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 2 of this act, or is certified by a court  
14 as a person who is not in compliance with a residential or visitation  
15 order as provided in section 107 of this act may be issued a broker's  
16 or salesperson's license under this chapter. The application of a  
17 person so certified by the department of social and health services or  
18 by a court may be reviewed for issuance of a license under this chapter  
19 after the person provides the director a written release issued by the  
20 department of social and health services or a court stating that the  
21 person is in compliance with the order.

22 (2) The director shall immediately suspend the license of a broker  
23 or salesperson who either (a) has been certified pursuant to section 2  
24 of this act by the department of social and health services as a person  
25 who is not in compliance with a support order, or (b) has been  
26 certified pursuant to section 107 of this act by a court as a person  
27 who is not in compliance with a residential or visitation order. If  
28 the person has continued to meet all other requirements for  
29 reinstatement during the suspension, reissuance of the license shall be  
30 automatic upon the director's receipt of a written release issued by  
31 the department of social and health services or a court stating that  
32 the person is in compliance with the order.

33 NEW SECTION. **Sec. 32.** A new section is added to chapter 18.96 RCW  
34 to read as follows:

35 No person who has been certified by the department of social and  
36 health services as a person who is not in compliance with a support  
37 order as provided in section 2 of this act, or is certified by a court

1 as a person who is not in compliance with a residential or visitation  
2 order as provided in section 107 of this act may be issued a  
3 certificate of registration under this chapter. The application of a  
4 person so certified by the department of social and health services or  
5 by a court may be reviewed for issuance of a certificate under this  
6 chapter after the person provides the director a written release issued  
7 by the department of social and health services or a court stating that  
8 the person is in compliance with the order.

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

11 (1) The director may refuse to renew, or may suspend or revoke, a  
12 certificate of registration to use the titles landscape architect,  
13 landscape architecture, or landscape architectural in this state upon  
14 the following grounds:

15 ~~((+1))~~ (a) The holder of the certificate of registration is  
16 impersonating a practitioner or former practitioner.

17 ~~((+2))~~ (b) The holder of the certificate of registration is guilty  
18 of fraud, deceit, gross negligence, gross incompetency or gross  
19 misconduct in the practice of landscape architecture.

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

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

26 (2) The director shall immediately suspend the certificate of  
27 registration of a landscape architect who either (a) has been certified  
28 pursuant to section 2 of this act by the department of social and  
29 health services as a person who is not in compliance with a support  
30 order, or (b) has been certified pursuant to section 107 of this act by  
31 a court as a person who is not in compliance with a residential or  
32 visitation order. If the person has continued to meet all other  
33 requirements for certification during the suspension, reissuance of the  
34 certificate of registration shall be automatic upon the director's  
35 receipt of a written release issued by the department of social and  
36 health services or a court stating that the person is in compliance  
37 with the order.

1       **Sec. 34.** RCW 18.96.150 and 1993 c 35 s 6 are each amended to read  
2 as follows:

3       Except as provided in section 32 of this act, the director shall  
4 issue a certificate of registration upon payment of the registration  
5 fee as provided in this chapter to any applicant who has satisfactorily  
6 met all requirements for registration. All certificates of  
7 registration shall show the full name of the registrant, shall have a  
8 serial number and shall be signed by the chairman and the executive  
9 secretary of the board, and by the director.

10       Each registrant shall obtain a seal of a design authorized by the  
11 board, bearing the registrant's name and the legend, "registered  
12 landscape architect". All sheets of drawings and title pages of  
13 specifications prepared by the registrant shall be stamped with said  
14 seal.

15       NEW SECTION. **Sec. 35.** A new section is added to chapter 18.104  
16 RCW to read as follows:

17       No person who has been certified by the department of social and  
18 health services as a person who is not in compliance with a support  
19 order as provided in section 2 of this act, or is certified by a court  
20 as a person who is not in compliance with a residential or visitation  
21 order as provided in section 107 of this act may be issued a license  
22 under this chapter. The application of a person so certified by the  
23 department of social and health services or by a court may be reviewed  
24 for issuance of a license under this chapter after the person provides  
25 the department a written release issued by the department of social and  
26 health services or a court stating that the person is in compliance  
27 with the order.

28       **Sec. 36.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to  
29 read as follows:

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

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

34       ~~((2))~~ (b) For fraud or deception in reporting under RCW  
35 18.104.050;

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

4       (2) The director shall immediately suspend any license issued under  
5 this chapter if the holder of the license either (a) has been certified  
6 pursuant to section 2 of this act by the department of social and  
7 health services as a person who is not in compliance with a support  
8 order, or (b) has been certified pursuant to section 107 of this act by  
9 a court as a person who is not in compliance with a residential or  
10 visitation order. If the person has continued to meet all other  
11 requirements for reinstatement during the suspension, reissuance of the  
12 license shall be automatic upon the director's receipt of a written  
13 release issued by the department of social and health services or a  
14 court stating that the person is in compliance with the order.

15       (3) No license shall be suspended for more than six months, except  
16 that a suspension under section 2 or 107 of this act shall continue  
17 until the department receives a written release issued by the  
18 department of social and health services or a court stating that the  
19 person is in compliance with the order.

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

23       **Sec. 37.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to  
24 read as follows:

25       (1) Except as provided in section 38 of this act, the department  
26 shall issue a certificate of competency to all applicants who have  
27 passed the examination and have paid the fee for the certificate. The  
28 certificate shall bear the date of issuance, and shall expire on the  
29 birthdate of the holder immediately following the date of issuance.  
30 The certificate shall be renewable every other year, upon application,  
31 on or before the birthdate of the holder. A renewal fee shall be  
32 assessed for each certificate. If a person fails to renew the  
33 certificate by the renewal date, he or she must pay a doubled fee. If  
34 the person does not renew the certificate within ninety days of the  
35 renewal date, he or she must retake the examination and pay the  
36 examination fee.

37       The certificate of competency and the temporary permit provided for  
38 in this chapter grant the holder the right to engage in the work of

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

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

31 (3) Any person who has been issued a plumbing training certificate  
32 under this chapter may work if that person is under supervision.  
33 Supervision shall consist of a person being on the same job site and  
34 under the control of either a journeyman plumber or an appropriate  
35 specialty plumber who has an applicable certificate of competency  
36 issued under this chapter. Either a journeyman plumber or an  
37 appropriate specialty plumber shall be on the same job site as the  
38 noncertified individual for a minimum of seventy-five percent of each  
39 working day unless otherwise provided in this chapter. The ratio of



1 noncertified individuals to certified journeymen or specialty plumbers  
2 working on a job site shall be: (a) From July 28, 1985, through June  
3 30, 1988, not more than three noncertified plumbers working on any one  
4 job site for every certified journeyman or specialty plumber; (b)  
5 effective July 1, 1988, not more than two noncertified plumbers working  
6 on any one job site for every certified specialty plumber or journeyman  
7 plumber working as a specialty plumber; and (c) effective July 1, 1988,  
8 not more than one noncertified plumber working on any one job site for  
9 every certified journeyman plumber working as a journeyman plumber.

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

18 NEW SECTION. Sec. 38. A new section is added to chapter 18.106  
19 RCW to read as follows:

20 (1) No person who has been certified by the department of social  
21 and health services as a person who is not in compliance with a support  
22 order as provided in section 2 of this act, or is certified by a court  
23 as a person who is not in compliance with a residential or visitation  
24 order as provided in section 107 of this act may be issued a  
25 certificate of competency under this chapter. The application of a  
26 person so certified by the department of social and health services or  
27 by a court may be reviewed for issuance of a certificate of competency  
28 under this chapter after the person provides the department a written  
29 release issued by the department of social and health services or a  
30 court stating that the person is 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 either (a) has been certified pursuant to section 2 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, or (b) has been certified pursuant to  
36 section 107 of this act by a court as a person who is not in compliance  
37 with a residential or visitation order. If the person has continued to  
38 meet all other requirements for certification during the suspension,

1 reissuance of the certificate of competency shall be automatic upon the  
2 department's receipt of a written release issued by the department of  
3 social and health services or a court stating that the person is in  
4 compliance with the order.

5 NEW SECTION. **Sec. 39.** A new section is added to chapter 18.130  
6 RCW to read as follows:

7 The disciplining authority shall immediately suspend the license of  
8 any person subject to this chapter who either (1) has been certified by  
9 the department of social and health services as a person who is not in  
10 compliance with a support order as provided in section 2 of this act,  
11 or (2) has been certified pursuant to section 107 of this act by a  
12 court as a person who is not in compliance with a residential or  
13 visitation order.

14 **Sec. 40.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to  
15 read as follows:

16 The disciplining authority has the following authority:

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

19 (2) To investigate all complaints or reports of unprofessional  
20 conduct as defined in this chapter and to hold hearings as provided in  
21 this chapter;

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

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

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

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

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

33 (8) To use a presiding officer as authorized in RCW 18.130.095(3)  
34 or the office of administrative hearings as authorized in chapter 34.12  
35 RCW to conduct hearings. The disciplining authority shall make the  
36 final decision regarding disposition of the license unless the

1 disciplining authority elects to delegate in writing the final decision  
2 to the presiding officer;

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

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

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

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

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

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

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

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

31 (17) To immediately suspend the license of a person who either (a)  
32 has been certified by the department of social and health services as  
33 not in compliance with a support order as provided in section 2 of this  
34 act, or (b) has been certified pursuant to section 107 of this act by  
35 a court as a person who is not in compliance with a residential or  
36 visitation order.

37 **Sec. 41.** RCW 18.130.120 and 1984 c 279 s 12 are each amended to  
38 read as follows:

1 The department shall not issue any license to any person whose  
2 license has been denied, revoked, or suspended by the disciplining  
3 authority except in conformity with the terms and conditions of the  
4 certificate or order of denial, revocation, or suspension, or in  
5 conformity with any order of reinstatement issued by the disciplining  
6 authority, or in accordance with the final judgment in any proceeding  
7 for review instituted under this chapter.

8 The department shall not issue a license to a person who has been  
9 certified by the department of social and health services as a person  
10 who is not in compliance with a support order as provided in section 2  
11 of this act, or is certified by a court as a person who is not in  
12 compliance with a residential or visitation order as provided in  
13 section 107 of this act. The license may be issued after the person  
14 provides the department a written release from the department of social  
15 and health services or a court stating that the person is in compliance  
16 with the order.

17 **Sec. 42.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to  
18 read as follows:

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

27 A person whose license has been suspended for noncompliance with a  
28 support order under section 2 of this act or for noncompliance with a  
29 residential or visitation order under chapter 26.09 RCW may petition  
30 for reinstatement at any time by providing the disciplining authority  
31 a written release issued by the department of social and health  
32 services or a court stating that the person is in compliance with the  
33 order. If the person has continued to meet all other requirements for  
34 reinstatement during the suspension, the disciplining authority shall  
35 automatically reissue the person's license upon receipt of the release,  
36 and payment of a reinstatement fee, if any.

1        NEW SECTION.    **Sec. 43.**    A new section is added to chapter 18.140  
2    RCW 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 2 of this act, or is certified by a court  
6    as a person who is not in compliance with a residential or visitation  
7    order as provided in section 107 of this act may be issued a license or  
8    certificate under this chapter.    The application of a person so  
9    certified by the department of social and health services or by a court  
10   may be reviewed for issuance of a license or certificate after the  
11   person provides the director a written release issued by the department  
12   of social and health services or a court stating that the person is in  
13   compliance with the order.

14        (2) The director shall immediately suspend any license or  
15   certificate issued under this chapter if the holder either (a) 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 support  
18   order, or (b) has been certified pursuant to section 107 of this act by  
19   a court as a person who is not in compliance with a residential or  
20   visitation order.    If the person has continued to meet all other  
21   requirements for reinstatement during the suspension, reissuance of the  
22   license or certificate shall be automatic upon the director's receipt  
23   of a written release issued by the department of social and health  
24   services or a court stating that the person is in compliance with the  
25   order.

26        **Sec. 44.**    RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8 are  
27   each reenacted and amended to read as follows:

28        Except as provided in section 45 of this act, the department shall  
29   issue a certificate to any applicant who meets the standards  
30   established under this chapter and who:

31        (1) Is holding one of the following:

32        (a) Certificate of proficiency, registered professional reporter,  
33   registered merit reporter, or registered diplomate reporter from [the]  
34   national court reporters association;

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

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

1 (2) Has passed an examination approved by the director or an  
2 examination that meets or exceeds the standards established by the  
3 director.

4 NEW SECTION. **Sec. 45.** A new section is added to chapter 18.145  
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 2 of this act, or is certified by a court  
9 as a person who is not in compliance with a residential or visitation  
10 order as provided in section 107 of this act may be issued a  
11 certificate under this chapter. The application of a person so  
12 certified by the department of social and health services or by a court  
13 may be reviewed for issuance of a certificate after the person provides  
14 the director a written release issued by the department of social and  
15 health services or a court stating that the person is in compliance  
16 with the order.

17 (2) The director shall immediately suspend any certificate issued  
18 under this chapter if the holder either (a) has been certified pursuant  
19 to section 2 of this act by the department of social and health  
20 services as a person who is not in compliance with a support order, or  
21 (b) has been certified pursuant to section 107 of this act by a court  
22 as a person who is not in compliance with a residential or visitation  
23 order. If the person has continued to meet all other requirements for  
24 certification during the suspension, reissuance of the certificate  
25 shall be automatic upon the director's receipt of a written release  
26 issued by the department of social and health services or a court  
27 stating that the person is in compliance with the order.

28 **Sec. 46.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to  
29 read as follows:

30 (1) The state director of fire protection may refuse to issue or  
31 renew or may suspend or revoke the privilege of a licensed fire  
32 protection sprinkler system contractor or the certificate of a  
33 certificate of competency holder to engage in the fire protection  
34 sprinkler system business or in lieu thereof, establish penalties as  
35 prescribed by Washington state law, for any of the following reasons:

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

4 (b) Conviction of a felony;

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

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

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

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

15 (2) The state director of fire protection shall revoke the license  
16 of a licensed fire protection sprinkler system contractor or the  
17 certificate of a certificate of competency holder who engages in the  
18 fire protection sprinkler system business while the license or  
19 certificate of competency is suspended.

20 (3) The state director of fire protection shall refuse to issue or  
21 immediately suspend any license or certificate issued under this  
22 chapter if the holder either (a) has been certified pursuant to section  
23 2 of this act by the department of social and health services as a  
24 person who is not in compliance with a support order, or (b) has been  
25 certified pursuant to section 107 of this act by a court as a person  
26 who is not in compliance with a residential or visitation order. If  
27 the person has continued to meet all other requirements for issuance or  
28 reinstatement during the suspension, issuance or reissuance of the  
29 license or certificate shall be automatic upon the director's receipt  
30 of a written release issued by the department of social and health  
31 services or a court stating that the person is in compliance with the  
32 order.

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

37 **Sec. 47.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to  
38 read as follows:

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

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

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

10       (3) Not meeting the qualifications set forth in RCW 18.165.030,  
11 18.165.040, or 18.165.050;

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

14       (5) Carrying a firearm in the performance of his or her duties if  
15 not the holder of a valid armed private investigator license, or  
16 carrying a firearm not meeting the provisions of this chapter while in  
17 the performance of his or her duties;

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

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

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

25       (9) Acceptance of employment that is adverse to a client or former  
26 client and relates to a matter about which a licensee has obtained  
27 confidential information by reason of or in the course of the  
28 licensee's employment by the client;

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

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

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

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

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

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

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

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

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

25      (17) Misrepresentation or fraud in any aspect of the conduct of the  
26    business or profession;

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

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

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

36      (21) Assisting a client to locate, trace, or contact a person when  
37    the investigator knows that the client is prohibited by any court order  
38    from harassing or contacting the person whom the investigator is being

1 asked to locate, trace, or contact, as it pertains to domestic  
2 violence, stalking, or minor children;

3 (22) Failure to maintain bond or insurance; (~~or~~)

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

5 (24) Being certified as not in compliance with a support order as  
6 provided in section 2 of this act or not in compliance with a  
7 residential or visitation order under section 107 of this act.

8 NEW SECTION. Sec. 48. A new section is added to chapter 18.165  
9 RCW to read as follows:

10 (1) No person who has been certified by the department of social  
11 and health services as a person who is not in compliance with a support  
12 order as provided in section 2 of this act, or is certified by a court  
13 as a person who is not in compliance with a residential or visitation  
14 order as provided in section 107 of this act may be issued a license  
15 under this chapter. The application of a person so certified by the  
16 department of social and health services or by a court may be reviewed  
17 for issuance of a license after the person provides the director a  
18 written release issued by the department of social and health services  
19 or a court stating that the person is in compliance with the order.

20 (2) The director shall immediately suspend a license issued under  
21 this chapter if the holder either (a) has been certified pursuant to  
22 section 2 of this act by the department of social and health services  
23 as a person who is not in compliance with a support order, or (b) has  
24 been certified pursuant to section 107 of this act by a court as a  
25 person who is not in compliance with a residential or visitation order.  
26 If the person has continued to meet all other requirements for  
27 reinstatement during the suspension, reissuance of the license shall be  
28 automatic upon the director's receipt of a written release issued by  
29 the department of social and health services or a court stating that  
30 the person is in compliance with the order.

31 **Sec. 49.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to  
32 read as follows:

33 In addition to the provisions of section 50 of this act, the  
34 following acts are prohibited and constitute grounds for disciplinary  
35 action, assessing administrative penalties, or denial, suspension, or  
36 revocation of any license under this chapter, as deemed appropriate by  
37 the director:

- 1 (1) Knowingly violating any of the provisions of this chapter or  
2 the rules adopted under this chapter;
- 3 (2) Practicing fraud, deceit, or misrepresentation in any of the  
4 private security activities covered by this chapter;
- 5 (3) Knowingly making a material misstatement or omission in the  
6 application for a license or firearms certificate;
- 7 (4) Not meeting the qualifications set forth in RCW 18.170.030,  
8 18.170.040, or 18.170.060;
- 9 (5) Failing to return immediately on demand a firearm issued by an  
10 employer;
- 11 (6) Carrying a firearm in the performance of his or her duties if  
12 not the holder of a valid armed private security guard license, or  
13 carrying a firearm not meeting the provisions of this chapter while in  
14 the performance of his or her duties;
- 15 (7) Failing to return immediately on demand any uniform, badge, or  
16 other item of equipment issued to the private security guard by an  
17 employer;
- 18 (8) Making any statement that would reasonably cause another person  
19 to believe that the private security guard is a sworn peace officer;
- 20 (9) Divulging confidential information that may compromise the  
21 security of any premises, or valuables shipment, or any activity of a  
22 client to which he or she was assigned;
- 23 (10) Conviction of a gross misdemeanor or felony or the commission  
24 of any act involving moral turpitude, dishonesty, or corruption whether  
25 the act constitutes a crime or not. If the act constitutes a crime,  
26 conviction in a criminal proceeding is not a condition precedent to  
27 disciplinary action. Upon such a conviction, however, the judgment and  
28 sentence is conclusive evidence at the ensuing disciplinary hearing of  
29 the guilt of the license holder or applicant of the crime described in  
30 the indictment or information, and of the person's violation of the  
31 statute on which it is based. For the purposes of this section,  
32 conviction includes all instances in which a plea of guilty or nolo  
33 contendere is the basis for the conviction and all proceedings in which  
34 the sentence has been deferred or suspended;
- 35 (11) Misrepresentation or concealment of a material fact in  
36 obtaining a license or in reinstatement thereof;
- 37 (12) Advertising that is false, fraudulent, or misleading;
- 38 (13) Incompetence or negligence that results in injury to a person  
39 or that creates an unreasonable risk that a person may be harmed;

1 (14) Suspension, revocation, or restriction of the individual's  
2 license to practice the profession by competent authority in any state,  
3 federal, or foreign jurisdiction, a certified copy of the order,  
4 stipulation, or agreement being conclusive evidence of the revocation,  
5 suspension, or restriction;

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

7 (a) Not furnishing any necessary papers or documents requested by  
8 the director for purposes of conducting an investigation for  
9 disciplinary action, denial, suspension, or revocation of a license  
10 under this chapter;

11 (b) Not furnishing in writing a full and complete explanation  
12 covering the matter contained in a complaint filed with the department;  
13 or

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

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

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

21 (18) Misrepresentation or fraud in any aspect of the conduct of the  
22 business or profession;

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

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

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

32 (22) Failure to maintain insurance; and

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

34 NEW SECTION. **Sec. 50.** A new section is added to chapter 18.170  
35 RCW 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 2 of this act, or is certified by a court

1 as a person who is not in compliance with a residential or visitation  
2 order as provided in section 107 of this act may be issued a license  
3 under this chapter. The application of a person so certified by the  
4 department of social and health services or by a court may be reviewed  
5 for issuance of a license after the person provides the director a  
6 written release issued by the department of social and health services  
7 or a court stating that the person is in compliance with the order.

8 (2) The director shall immediately suspend any license issued under  
9 this chapter if the holder either (a) has been certified pursuant to  
10 section 2 of this act by the department of social and health services  
11 as a person who is not in compliance with a support order, or (b) has  
12 been certified pursuant to section 107 of this act by a court as a  
13 person who is not in compliance with a residential or visitation order.  
14 If the person has continued to meet all other requirements for  
15 reinstatement during the suspension, reissuance of the license shall be  
16 automatic upon the director's receipt of a written release issued by  
17 the department of social and health services or a court stating that  
18 the person is in compliance with the order.

19 NEW SECTION. **Sec. 51.** A new section is added to chapter 18.175  
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 2 of this act, or is certified by a court  
24 as a person who is not in compliance with a residential or visitation  
25 order as provided in section 107 of this act may be issued a  
26 certificate of registration under this chapter. The application of a  
27 person so certified by the department of social and health services or  
28 by a court may be reviewed for issuance of a certificate of  
29 registration after the person provides the director a written release  
30 issued by the department of social and health services or a court  
31 stating that the person is in compliance with the order.

32 (2) The director shall immediately suspend a certificate of  
33 registration issued under this chapter if the holder either (a) has  
34 been certified pursuant to section 2 of this act by the department of  
35 social and health services as a person who is not in compliance with a  
36 support order, or (b) has been certified pursuant to section 107 of  
37 this act by a court as a person who is not in compliance with a  
38 residential or visitation order. If the person has continued to meet

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

6 NEW SECTION. **Sec. 52.** A new section is added to chapter 18.185  
7 RCW 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 2 of this act, or is certified by a court  
11 as a person who is not in compliance with a residential or visitation  
12 order as provided in section 107 of this act may be issued a license  
13 under this chapter. The application of a person so certified by the  
14 department of social and health services or by a court may be reviewed  
15 for issuance of a license after the person provides the director a  
16 written release issued by the department of social and health services  
17 or a court stating that the person is in compliance with the order.

18 (2) The director shall immediately suspend any license issued under  
19 this chapter if the holder either (a) has been certified pursuant to  
20 section 2 of this act by the department of social and health services  
21 as a person who is not in compliance with a support order, or (b) has  
22 been certified pursuant to section 107 of this act by a court as a  
23 person who is not in compliance with a residential or visitation order.  
24 If the person has continued to meet all other requirements for  
25 reinstatement during the suspension, reissuance of the license shall be  
26 automatic upon the director's receipt of a written release issued by  
27 the department of social and health services or a court stating that  
28 the person is in compliance with the order.

29 **Sec. 53.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to  
30 read as follows:

31 This section governs the denial of an application for a license or  
32 the suspension, revocation, or modification of a license by the  
33 department.

34 (1) The department shall give written notice of the denial of an  
35 application for a license to the applicant or his or her agent. The  
36 department shall give written notice of revocation, suspension, or  
37 modification of a license to the licensee or his or her agent. The

1 notice shall state the reasons for the action. The notice shall be  
2 personally served in the manner of service of a summons in a civil  
3 action or shall be given in ((an other)) another manner that shows  
4 proof of receipt.

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

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

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

18 (c) When the department has received certification pursuant to  
19 either (i) chapter 74.20A RCW from the division of child support that  
20 the licensee is a person who is not in compliance with a support order  
21 or (ii) chapter 26.09 RCW by a court that the licensee is not in  
22 compliance with a residential or visitation order, the department shall  
23 provide that the suspension is effective immediately upon receipt of  
24 the suspension notice by the licensee.

25 (3) Except for licensees suspended for noncompliance with a support  
26 order under chapter 74.20A RCW or a residential or visitation order  
27 under chapter 26.09 RCW, a license applicant or licensee who is  
28 aggrieved by a department denial, revocation, suspension, or  
29 modification has the right to an adjudicative proceeding. The  
30 proceeding is governed by the Administrative Procedure Act, chapter  
31 34.05 RCW. The application must be in writing, state the basis for  
32 contesting the adverse action, include a copy of the adverse notice, be  
33 served on and received by the department within twenty-eight days of  
34 the license applicant's or licensee's receiving the adverse notice, and  
35 be served in a manner that shows proof of receipt.

36 (4)(a) If the department gives a licensee twenty-eight or more days  
37 notice of revocation, suspension, or modification and the licensee  
38 files an appeal before its effective date, the department shall not  
39 implement the adverse action until the final order has been entered.

1 The presiding or reviewing officer may permit the department to  
2 implement part or all of the adverse action while the proceedings are  
3 pending if the appellant causes an unreasonable delay in the  
4 proceeding, if the circumstances change so that implementation is in  
5 the public interest, or for other good cause.

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

14 NEW SECTION. **Sec. 54.** A new section is added to chapter 28A.410  
15 RCW to read as follows:

16 (1) No person who has been certified by the department of social  
17 and health services as a person who is not in compliance with a support  
18 order as provided in section 2 of this act, or is certified by a court  
19 as a person who is not in compliance with a residential or visitation  
20 order as provided in section 107 of this act may be issued a  
21 certificate or permit under this chapter. The application of a person  
22 so certified by the department of social and health services or by a  
23 court may be reviewed for issuance of a certificate or permit after the  
24 person provides the authority authorized to grant the certificate or  
25 permit a written release issued by the department of social and health  
26 services or a court stating that the person is in compliance with the  
27 order.

28 (2) Any certificate or permit authorized under this chapter or  
29 chapter 28A.405 RCW shall be suspended by the authority authorized to  
30 grant the certificate or permit if (a) either the department of social  
31 and health services certifies that the person is not in compliance with  
32 a support order as provided in section 2 of this act or (b) a court  
33 certifies that the person is not in compliance with a residential or  
34 visitation order under chapter 26.09 RCW. If the person continues to  
35 meet other requirements for reinstatement during the suspension,  
36 reissuance of the certificate or permit shall be automatic after the  
37 person provides the authority a written release issued by the



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

3 **Sec. 55.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to read  
4 as follows:

5 This section governs the denial of an application for a license or  
6 the suspension, revocation, or modification of a license by the  
7 department. This section does not govern actions taken under chapter  
8 18.130 RCW.

9 (1) The department shall give written notice of the denial of an  
10 application for a license to the applicant or his or her agent. The  
11 department shall give written notice of revocation, suspension, or  
12 modification of a license to the licensee or his or her agent. The  
13 notice shall state the reasons for the action. The notice shall be  
14 personally served in the manner of service of a summons in a civil  
15 action or shall be given in ((~~an other~~ {~~another~~}) another manner that  
16 shows proof of receipt.

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

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

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

30 (c) When the department has received certification pursuant to  
31 either (i) chapter 74.20A RCW from the department of social and health  
32 services that the licensee is a person who is not in compliance with a  
33 child support order or (ii) chapter 26.09 RCW from a court that the  
34 licensee is a person who is not in compliance with a residential or  
35 visitation order, the department shall provide that the suspension is  
36 effective immediately upon receipt of the suspension notice by the  
37 licensee.

1       (3) Except for licensees suspended for noncompliance with a child  
2 support order under chapter 74.20A RCW or a residential or visitation  
3 order under chapter 26.09 RCW, a license applicant or licensee who is  
4 aggrieved by a department denial, revocation, suspension, or  
5 modification has the right to an adjudicative proceeding. The  
6 proceeding is governed by the Administrative Procedure Act, chapter  
7 34.05 RCW. The application must be in writing, state the basis for  
8 contesting the adverse action, include a copy of the adverse notice, be  
9 served on and received by the department within twenty-eight days of  
10 the license applicant's or licensee's receiving the adverse notice, and  
11 be served in a manner that shows proof of receipt.

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

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

29       **Sec. 56.** RCW 19.28.120 and 1992 c 217 s 2 are each amended to read  
30 as follows:

31       (1) It is unlawful for any person, firm, partnership, corporation,  
32 or other entity to engage in, conduct, or carry on the business of  
33 installing or maintaining wires or equipment to convey electric  
34 current, or installing or maintaining equipment to be operated by  
35 electric current as it pertains to the electrical industry, without  
36 having an unrevoked, unsuspended, and unexpired electrical contractor  
37 license, issued by the department in accordance with this chapter. All  
38 electrical contractor licenses expire twenty-four calendar months

1 following the day of their issue. The department may issue an  
2 electrical contractors license for a period of less than twenty-four  
3 months only for the purpose of equalizing the number of electrical  
4 contractor licenses which expire each month. Application for an  
5 electrical contractor license shall be made in writing to the  
6 department, accompanied by the required fee. The application shall  
7 state:

8 (a) The name and address of the applicant; in case of firms or  
9 partnerships, the names of the individuals composing the firm or  
10 partnership; in case of corporations, the names of the managing  
11 officials thereof;

12 (b) The location of the place of business of the applicant and the  
13 name under which the business is conducted;

14 (c) Employer social security number;

15 (d) As applicable: (i) The industrial insurance account number  
16 covering employees domiciled in Washington; and (ii) evidence of  
17 workers' compensation coverage in the applicant's state of domicile for  
18 the applicant's employees working in Washington who are not domiciled  
19 in Washington;

20 (e) Employment security department number;

21 (f) State excise tax registration number;

22 (g) Unified business identifier (UBI) account number may be  
23 substituted for the information required by (d), (e), and (f) of this  
24 subsection; and

25 (h) Whether a general or specialty electrical contractor license is  
26 sought and, if the latter, the type of specialty. Electrical  
27 contractor specialties include, but are not limited to: Residential,  
28 domestic appliances, pump and irrigation, limited energy system, signs,  
29 nonresidential maintenance, and a combination specialty. A general  
30 electrical contractor license shall grant to the holder the right to  
31 engage in, conduct, or carry on the business of installing or  
32 maintaining wires or equipment to carry electric current, and  
33 installing or maintaining equipment, or installing or maintaining  
34 material to fasten or insulate such wires or equipment to be operated  
35 by electric current, in the state of Washington. A specialty  
36 electrical contractor license shall grant to the holder a limited right  
37 to engage in, conduct, or carry on the business of installing or  
38 maintaining wires or equipment to carry electrical current, and  
39 installing or maintaining equipment; or installing or maintaining

1 material to fasten or insulate such wires or equipment to be operated  
2 by electric current in the state of Washington as expressly allowed by  
3 the license.

4 (2) The department may verify the workers' compensation coverage  
5 information provided by the applicant under subsection (1)(d) of this  
6 section, including but not limited to information regarding the  
7 coverage of an individual employee of the applicant. If coverage is  
8 provided under the laws of another state, the department may notify the  
9 other state that the applicant is employing employees in Washington.

10 (3) The application for a contractor license shall be accompanied  
11 by a bond in the sum of four thousand dollars with the state of  
12 Washington named as obligee in the bond, with good and sufficient  
13 surety, to be approved by the department. The bond shall at all times  
14 be kept in full force and effect, and any cancellation or revocation  
15 thereof, or withdrawal of the surety therefrom, suspends the license  
16 issued to the principal until a new bond has been filed and approved as  
17 provided in this section. Upon approval of a bond, the department  
18 shall on the next business day deposit the fee accompanying the  
19 application in the electrical license fund and shall file the bond in  
20 the office. The department shall upon request furnish to any person,  
21 firm, partnership, corporation, or other entity a certified copy of the  
22 bond upon the payment of a fee that the department shall set by rule.  
23 The fee shall cover but not exceed the cost of furnishing the certified  
24 copy. The bond shall be conditioned that in any installation or  
25 maintenance of wires or equipment to convey electrical current, and  
26 equipment to be operated by electrical current, the principal will  
27 comply with the provisions of this chapter and with any electrical  
28 ordinance, building code, or regulation of a city or town adopted  
29 pursuant to RCW 19.28.010(~~(+2)~~) (3) that is in effect at the time of  
30 entering into a contract. The bond shall be conditioned further that  
31 the principal will pay for all labor, including employee benefits, and  
32 material furnished or used upon the work, taxes and contributions to  
33 the state of Washington, and all damages that may be sustained by any  
34 person, firm, partnership, corporation, or other entity due to a  
35 failure of the principal to make the installation or maintenance in  
36 accordance with this chapter or any applicable ordinance, building  
37 code, or regulation of a city or town adopted pursuant to RCW  
38 19.28.010(~~(+2)~~) (3). In lieu of the surety bond required by this  
39 section the license applicant may file with the department a cash

1 deposit or other negotiable security acceptable to the department. If  
2 the license applicant has filed a cash deposit, the department shall  
3 deposit the funds in a special trust savings account in a commercial  
4 bank, mutual savings bank, or savings and loan association and shall  
5 pay annually to the depositor the interest derived from the account.

6 (4) Except as provided in subsection (6) of this section, the  
7 department shall issue general or specialty electrical contractor  
8 licenses to applicants meeting all of the requirements of this chapter.  
9 The provisions of this chapter relating to the licensing of any person,  
10 firm, partnership, corporation, or other entity including the  
11 requirement of a bond with the state of Washington named as obligee  
12 therein and the collection of a fee therefor, are exclusive, and no  
13 political subdivision of the state of Washington may require or issue  
14 any licenses or bonds or charge any fee for the same or a similar  
15 purpose. No person, firm, partnership, corporation, or other entity  
16 holding more than one specialty contractor license under this chapter  
17 may be required to pay an annual fee for more than one such license or  
18 to post more than one four thousand dollar bond, equivalent cash  
19 deposit, or other negotiable security.

20 (5) To obtain a general or specialty electrical contractor license  
21 the applicant must designate an individual who currently possesses an  
22 administrator's certificate as a general electrical contractor  
23 administrator or as a specialty electrical contractor administrator in  
24 the specialty for which application has been made. Administrator  
25 certificate specialties include but are not limited to: Residential,  
26 domestic, appliance, pump and irrigation, limited energy system, signs,  
27 nonresidential maintenance, and combination specialty. To obtain an  
28 administrator's certificate an individual must pass an examination as  
29 set forth in RCW 19.28.123 unless the applicant was a licensed  
30 electrical contractor at any time during 1974. Applicants who were  
31 electrical contractors licensed by the state of Washington at any time  
32 during 1974 are entitled to receive a general electrical contractor  
33 administrator's certificate without examination if the applicants apply  
34 prior to January 1, 1984. The board of electrical examiners shall  
35 certify to the department the names of all persons who are entitled to  
36 either a general or specialty electrical contractor administrator's  
37 certificate.

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

1 order as provided in section 2 of this act, or is certified by a court  
2 as a person who is not in compliance with a residential or visitation  
3 order as provided in section 107 of this act may be issued a license or  
4 certificate under this chapter. The application of a person so  
5 certified by the department of social and health services or by a court  
6 may be reviewed for issuance of a license or certificate under this  
7 chapter after the person provides the department with a written release  
8 issued by the department of social and health services or a court  
9 stating that the person is in compliance with the order.

10       **Sec. 57.** RCW 19.28.125 and 1988 c 81 s 6 are each amended to read  
11 as follows:

12       (1) Each applicant for an electrical contractor's license, other  
13 than an individual, shall designate a supervisory employee or member of  
14 the firm to take the required administrator's examination. Effective  
15 July 1, 1987, a supervisory employee designated as the administrator  
16 shall be a full-time supervisory employee. This person shall be  
17 designated as administrator under the license. No person may qualify  
18 as administrator for more than one contractor. If the relationship of  
19 the administrator with the electrical contractor is terminated, the  
20 contractor's license is void within ninety days unless another  
21 administrator is qualified by the board. However, if the administrator  
22 dies, the contractor's license is void within one hundred eighty days  
23 unless another administrator is qualified by the board. A certificate  
24 issued under this section is valid for two years from the nearest  
25 birthdate of the administrator, unless revoked or suspended, and  
26 further is nontransferable. The certificate may be renewed for a two-  
27 year period without examination by appropriate application unless the  
28 certificate has been revoked, suspended, or not renewed within ninety  
29 days after the expiration date. If the certificate is not renewed  
30 before the expiration date, the individual shall pay twice the usual  
31 fee. An individual holding more than one administrator's certificate  
32 under this chapter shall not be required to pay annual fees for more  
33 than one certificate. A person may take the administrator's test as  
34 many times as necessary without limit.

35       (2) The administrator shall:

36       (a) Be a member of the firm or a supervisory employee and shall be  
37 available during working hours to carry out the duties of an  
38 administrator under this section;

1 (b) Ensure that all electrical work complies with the electrical  
2 installation laws and rules of the state;

3 (c) Ensure that the proper electrical safety procedures are used;

4 (d) Ensure that all electrical labels, permits, and licenses  
5 required to perform electrical work are used;

6 (e) See that corrective notices issued by an inspecting authority  
7 are complied with; and

8 (f) Notify the department in writing within ten days if the  
9 administrator terminates the relationship with the electrical  
10 contractor.

11 (3) The department shall not by rule change the administrator's  
12 duties under subsection (2) of this section.

13 (4) No person who has been certified by the department of social  
14 and health services as a person who is not in compliance with a support  
15 order as provided in section 2 of this act, or is certified by a court  
16 as a person who is not in compliance with a residential or visitation  
17 order as provided in section 107 of this act may be issued a license or  
18 certificate under this chapter. The application of a person so  
19 certified by the department of social and health services or by a court  
20 may be reviewed for issuance of a license or certificate under this  
21 chapter after the person provides the department with a written release  
22 issued by the department of social and health services or a court  
23 stating that the person is in compliance with the order.

24 **Sec. 58.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to read  
25 as follows:

26 (1) The department has the power, in case of continued  
27 noncompliance with the provisions of this chapter, to revoke or suspend  
28 for such a period as it determines, any electrical contractor license  
29 or electrical contractor administrator certificate issued under this  
30 chapter. The department shall notify the holder of the license or  
31 certificate of the revocation or suspension by certified mail. A  
32 revocation or suspension is effective fifteen days after the holder  
33 receives the notice. Any revocation or suspension is subject to review  
34 by an appeal to the board. The filing of an appeal stays the effect of  
35 a revocation or suspension until the board makes its decision. The  
36 appeal shall be filed within fifteen days after notice of the  
37 revocation or suspension is given by certified mail sent to the address  
38 of the holder of the license or certificate as shown on the application

1 for the license or certificate, and shall be effected by filing a  
2 written notice of appeal with the department, accompanied by a  
3 certified check for two hundred dollars, which shall be returned to the  
4 holder of the license or certificate if the decision of the department  
5 is not sustained by the board. The hearing shall be conducted in  
6 accordance with chapter 34.05 RCW. If the board sustains the decision  
7 of the department, the two hundred dollars shall be applied by the  
8 department to the payment of the per diem and expenses of the members  
9 of the board incurred in the matter, and any balance remaining after  
10 payment of per diem and expenses shall be paid into the electrical  
11 license fund.

12 (2) The department shall immediately suspend the license or  
13 certificate of a person who either (a) has been certified pursuant to  
14 section 2 of this act by the department of social and health services  
15 as a person who is not in compliance with a support order, or (b) has  
16 been certified pursuant to section 107 of this act by a court as a  
17 person who is not in compliance with a residential or visitation order.  
18 If the person has continued to meet all other requirements for  
19 reinstatement during the suspension, reissuance of the license or  
20 certificate shall be automatic upon the department's receipt of a  
21 written release issued by the department of social and health services  
22 or a court stating that the licensee is in compliance with the order.

23 **Sec. 59.** RCW 19.28.550 and 1993 c 192 s 1 are each amended to read  
24 as follows:

25 (1) Except as provided in subsection (5) of this section, the  
26 department shall issue a certificate of competency to all applicants  
27 who have passed the examination provided in RCW 19.28.540, and who have  
28 complied with RCW 19.28.510 through 19.28.620 and the rules adopted  
29 under this chapter. The certificate shall bear the date of issuance,  
30 and shall expire on October 31st or April 30th, not less than six  
31 months nor more than three years immediately following the date of  
32 issuance. The certificate shall be renewed every three years, upon  
33 application, on or before the holder's birthdate. A fee shall be  
34 assessed for each certificate and for each annual renewal.

35 (2) If the certificate holder demonstrates to the department that  
36 he or she has satisfactorily completed an annual eight-hour continuing  
37 education course, the certificate may be renewed without examination by



1 appropriate application unless the certificate has been revoked,  
2 suspended, or not renewed within ninety days after the expiration date.

3 (a) The contents and requirements for satisfactory completion of  
4 the continuing education course shall be determined by the director and  
5 approved by the board.

6 (b) The department shall accept proof of a certificate holder's  
7 satisfactory completion of a continuing education course offered in  
8 another state as meeting the requirements for maintaining a current  
9 Washington state certificate of competency if the department is  
10 satisfied the course is comparable in nature to that required in  
11 Washington state for maintaining a current certificate of competency.

12 (3) If the certificate is not renewed before the expiration date,  
13 the individual shall pay twice the usual fee. The department shall set  
14 the fees by rule for issuance and renewal of a certificate of  
15 competency. The fees shall cover but not exceed the costs of issuing  
16 the certificates and of administering and enforcing the electrician  
17 certification requirements of this chapter.

18 (4) The certificates of competency and temporary permits provided  
19 for in this chapter grant the holder the right to work in the  
20 electrical construction trade as a journeyman electrician or specialty  
21 electrician in accordance with their provisions throughout the state  
22 and within any of its political subdivisions without additional proof  
23 of competency or any other license, permit, or fee to engage in such  
24 work.

25 (5) No person who has been certified by the department of social  
26 and health services as a person who is not in compliance with a support  
27 order as provided in section 2 of this act, or is certified by a court  
28 as a person who is not in compliance with a residential or visitation  
29 order as provided in section 107 of this act may be issued a license or  
30 certificate under this chapter. The application of a person so  
31 certified by the department of social and health services or by a court  
32 may be reviewed for issuance of a license or certificate under this  
33 chapter after the person provides the department with a written release  
34 issued by the department of social and health services or a court  
35 stating that the person is in compliance with the order.

36 **Sec. 60.** RCW 19.28.580 and 1988 c 81 s 15 are each amended to read  
37 as follows:

1 (1) The department may revoke any certificate of competency upon  
2 the following grounds:

3 (a) The certificate was obtained through error or fraud;

4 (b) The holder thereof is judged to be incompetent to work in the  
5 electrical construction trade as a journeyman electrician or specialty  
6 electrician;

7 (c) The holder thereof has violated any of the provisions of RCW  
8 19.28.510 through 19.28.620 or any rule adopted under this chapter.

9 (2) Before any certificate of competency shall be revoked, the  
10 holder shall be given written notice of the department's intention to  
11 do so, mailed by registered mail, return receipt requested, to the  
12 holder's last known address. The notice shall enumerate the  
13 allegations against the holder, and shall give the holder the  
14 opportunity to request a hearing before the board. At the hearing, the  
15 department and the holder may produce witnesses and give testimony.  
16 The hearing shall be conducted in accordance with chapter 34.05 RCW.  
17 The board shall render its decision based upon the testimony and  
18 evidence presented, and shall notify the parties immediately upon  
19 reaching its decision. A majority of the board shall be necessary to  
20 render a decision.

21 (3) The department shall immediately suspend the license or  
22 certificate of a person who either (a) has been certified pursuant to  
23 section 2 of this act by the department of social and health services  
24 as a person who is not in compliance with a support order, or (b) has  
25 been certified pursuant to section 107 of this act by a court as a  
26 person who is not in compliance with a residential or visitation order.  
27 If the person has continued to meet all other requirements for  
28 reinstatement during the suspension, reissuance of the license or  
29 certificate shall be automatic upon the department's receipt of a  
30 written release issued by the department of social and health services  
31 or a court stating that the licensee is in compliance with the order.

32 **Sec. 61.** RCW 19.30.030 and 1985 c 280 s 3 are each amended to read  
33 as follows:

34 The director shall not issue to any person a license to act as a  
35 farm labor contractor until:

36 (1) Such person has executed a written application on a form  
37 prescribed by the director, subscribed and sworn to by the applicant,  
38 and containing (a) a statement by the applicant of all facts required

1 by the director concerning the applicant's character, competency,  
2 responsibility, and the manner and method by which he or she proposes  
3 to conduct operations as a farm labor contractor if such license is  
4 issued, and (b) the names and addresses of all persons financially  
5 interested, either as partners, stockholders, associates, profit  
6 sharers, or providers of board or lodging to agricultural employees in  
7 the proposed operation as a labor contractor, together with the amount  
8 of their respective interests;

9 (2) The director, after investigation, is satisfied as to the  
10 character, competency, and responsibility of the applicant;

11 (3) The applicant has paid to the director a license fee of: (1)  
12 Thirty-five dollars in the case of a farm labor contractor not engaged  
13 in forestation or reforestation, or (2) one hundred dollars in the case  
14 of a farm labor contractor engaged in forestation or reforestation or  
15 such other sum as the director finds necessary, and adopts by rule, for  
16 the administrative costs of evaluating applications;

17 (4) The applicant has filed proof satisfactory to the director of  
18 the existence of a policy of insurance with any insurance carrier  
19 authorized to do business in the state of Washington in an amount  
20 satisfactory to the director, which insures the contractor against  
21 liability for damage to persons or property arising out of the  
22 contractor's operation of, or ownership of, any vehicle or vehicles for  
23 the transportation of individuals in connection with the contractor's  
24 business, activities, or operations as a farm labor contractor;

25 (5) The applicant has filed a surety bond or other security which  
26 meets the requirements set forth in RCW 19.30.040;

27 (6) The applicant executes a written statement which shall be  
28 subscribed and sworn to and shall contain the following declaration:

29 "With regards to any action filed against me concerning my  
30 activities as a farm labor contractor, I appoint the director of the  
31 Washington department of labor and industries as my lawful agent to  
32 accept service of summons when I am not present in the jurisdiction in  
33 which the action is commenced or have in any other way become  
34 unavailable to accept service"; and

35 (7) The applicant has stated on his or her application whether or  
36 not his or her contractor's license or the license of any of his or her  
37 agents, partners, associates, stockholders, or profit sharers has ever  
38 been suspended, revoked, or denied by any state or federal agency, and  
39 whether or not there are any outstanding judgments against him or her

1 or any of his or her agents, partners, associates, stockholders, or  
2 profit sharers in any state or federal court arising out of activities  
3 as a farm labor contractor.

4 (8) 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 2 of this act, or is certified by a court  
7 as a person who is not in compliance with a residential or visitation  
8 order as provided in section 107 of this act may be issued a license or  
9 certificate under this chapter. The application of a person so  
10 certified by the department of social and health services or by a court  
11 may be reviewed for issuance of a license or certificate under this  
12 chapter after the person provides the department with a written release  
13 issued by the department of social and health services or a court  
14 stating that the person is in compliance with the order.

15 **Sec. 62.** RCW 19.30.060 and 1985 c 280 s 6 are each amended to read  
16 as follows:

17 Any person may protest the grant or renewal of a license under this  
18 section. The director may revoke, suspend, or refuse to issue or renew  
19 any license when it is shown that:

20 (1) The farm labor contractor or any agent of the contractor has  
21 violated or failed to comply with any of the provisions of this  
22 chapter;

23 (2) The farm labor contractor has made any misrepresentations or  
24 false statements in his or her application for a license;

25 (3) The conditions under which the license was issued have changed  
26 or no longer exist;

27 (4) The farm labor contractor, or any agent of the contractor, has  
28 violated or wilfully aided or abetted any person in the violation of,  
29 or failed to comply with, any law of the state of Washington regulating  
30 employment in agriculture, the payment of wages to farm employees, or  
31 the conditions, terms, or places of employment affecting the health and  
32 safety of farm employees, which is applicable to the business  
33 activities, or operations of the contractor in his or her capacity as  
34 a farm labor contractor;

35 (5) The farm labor contractor or any agent of the contractor has in  
36 recruiting farm labor solicited or induced the violation of any then  
37 existing contract of employment of such laborers; or

1 (6) The farm labor contractor or any agent of the contractor has an  
2 unsatisfied judgment against him or her in any state or federal court,  
3 arising out of his or her farm labor contracting activities.

4 The director shall immediately suspend the license or certificate  
5 of a person who either has been certified pursuant to section 2 of this  
6 act by the department of social and health services as a person who is  
7 not in compliance with a support order, or has been certified pursuant  
8 to section 107 of this act by a court as a person who is not in  
9 compliance with a residential or visitation order. If the person has  
10 continued to meet all other requirements for reinstatement during the  
11 suspension, reissuance of the license or certificate shall be automatic  
12 upon the director's receipt of a written release issued by the  
13 department of social and health services or a court stating that the  
14 licensee is in compliance with the order.

15 **Sec. 63.** RCW 19.16.110 and 1994 c 195 s 2 are each amended to read  
16 as follows:

17 No person shall act, assume to act, or advertise as a collection  
18 agency or out-of-state collection agency as defined in this chapter,  
19 except as authorized by this chapter, without first having applied for  
20 and obtained a license from the director.

21 Nothing contained in this section shall be construed to require a  
22 regular employee of a collection agency or out-of-state collection  
23 agency duly licensed under this chapter to procure a collection agency  
24 license.

25 No person who has been certified by the department of social and  
26 health services as a person who is not in compliance with a support  
27 order as provided in section 2 of this act, or is certified by a court  
28 as a person who is not in compliance with a residential or visitation  
29 order as provided in section 107 of this act may be issued a license or  
30 certificate under this chapter. The application of a person so  
31 certified by the department of social and health services or by a court  
32 may be reviewed for issuance of a license or certificate under this  
33 chapter after the person provides the department with a written release  
34 issued by the department of social and health services or a court  
35 stating that the person is in compliance with the order.

36 **Sec. 64.** RCW 19.16.120 and 1994 c 195 s 3 are each amended to read  
37 as follows:

1 In addition to other provisions of this chapter, any license issued  
2 pursuant to this chapter or any application therefor may be denied, not  
3 renewed, revoked, or suspended, or in lieu of or in addition to  
4 suspension a licensee may be assessed a civil, monetary penalty in an  
5 amount not to exceed one thousand dollars:

6 (1) If an individual applicant or licensee is less than eighteen  
7 years of age or is not a resident of this state.

8 (2) If an applicant or licensee is not authorized to do business in  
9 this state.

10 (3) If the application or renewal forms required by this chapter  
11 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if  
12 applicable, have not been paid, and the surety bond or cash deposit or  
13 other negotiable security acceptable to the director required by RCW  
14 19.16.190, if applicable, has not been filed or renewed or is canceled.

15 (4) If any individual applicant, owner, officer, director, or  
16 managing employee of a nonindividual applicant or licensee:

17 (a) Shall have knowingly made a false statement of a material fact  
18 in any application for a collection agency license or an out-of-state  
19 collection agency license or renewal thereof, or in any data attached  
20 thereto and two years have not elapsed since the date of such  
21 statement;

22 (b) Shall have had a license to engage in the business of a  
23 collection agency or out-of-state collection agency denied, not  
24 renewed, suspended, or revoked by this state, any other state, or  
25 foreign country, for any reason other than the nonpayment of licensing  
26 fees or failure to meet bonding requirements: PROVIDED, That the terms  
27 of this subsection shall not apply if:

28 (i) Two years have elapsed since the time of any such denial,  
29 nonrenewal, or revocation; or

30 (ii) The terms of any such suspension have been fulfilled;

31 (c) Has been convicted in any court of any felony involving  
32 forgery, embezzlement, obtaining money under false pretenses, larceny,  
33 extortion, or conspiracy to defraud and is incarcerated for that  
34 offense or five years have not elapsed since the date of such  
35 conviction;

36 (d) Has had any judgment entered against him in any civil action  
37 involving forgery, embezzlement, obtaining money under false pretenses,  
38 larceny, extortion, or conspiracy to defraud and five years have not  
39 elapsed since the date of the entry of the final judgment in said

1 action: PROVIDED, That in no event shall a license be issued unless  
2 the judgment debt has been discharged;

3 (e) Has had his license to practice law suspended or revoked and  
4 two years have not elapsed since the date of such suspension or  
5 revocation, unless he has been relicensed to practice law in this  
6 state;

7 (f) Has had any judgment entered against him or it under the  
8 provisions of RCW 19.86.080 or 19.86.090 involving a violation or  
9 violations of RCW 19.86.020 and two years have not elapsed since the  
10 entry of the final judgment: PROVIDED, That in no event shall a  
11 license be issued unless the terms of such judgment, if any, have been  
12 fully complied with: PROVIDED FURTHER, That said judgment shall not be  
13 grounds for denial, suspension, nonrenewal, or revocation of a license  
14 unless the judgment arises out of and is based on acts of the  
15 applicant, owner, officer, director, managing employee, or licensee  
16 while acting for or as a collection agency or an out-of-state  
17 collection agency;

18 (g) Has petitioned for bankruptcy, and two years have not elapsed  
19 since the filing of said petition;

20 (h) Shall be insolvent in the sense that his or its liabilities  
21 exceed his or its assets or in the sense that he or it cannot meet his  
22 or its obligations as they mature;

23 (i) Has failed to pay any civil, monetary penalty assessed in  
24 accordance with RCW 19.16.351 or 19.16.360 within ten days after the  
25 assessment becomes final;

26 (j) Has knowingly failed to comply with, or violated any provisions  
27 of this chapter or any rule or regulation issued pursuant to this  
28 chapter, and two years have not elapsed since the occurrence of said  
29 noncompliance or violation; or

30 (k) Has been found by a court of competent jurisdiction to have  
31 violated the federal fair debt collection practices act, 15 U.S.C. Sec.  
32 1692 et seq., or the Washington state consumer protection act, chapter  
33 19.86 RCW, and two years have not elapsed since that finding.

34 Except as otherwise provided in this section, any person who is  
35 engaged in the collection agency business as of January 1, 1972 shall,  
36 upon filing the application, paying the fees, and filing the surety  
37 bond or cash deposit or other negotiable security in lieu of bond  
38 required by this chapter, be issued a license ((hereunder)) under this  
39 chapter.

1       The director shall immediately suspend the license or certificate  
2 of a person who either has been certified pursuant to section 2 of this  
3 act by the department of social and health services as a person who is  
4 not in compliance with a support order, or has been certified pursuant  
5 to section 107 of this act by a court as a person who is not in  
6 compliance with a residential or visitation order. If the person has  
7 continued to meet all other requirements for reinstatement during the  
8 suspension, reissuance of the license or certificate shall be automatic  
9 upon the director's receipt of a written release issued by the  
10 department of social and health services or a court stating that the  
11 licensee is in compliance with the order.

12       **Sec. 65.** RCW 19.31.100 and 1993 c 499 s 4 are each amended to read  
13 as follows:

14       (1) Every applicant for an employment agency's license or a renewal  
15 thereof shall file with the director a written application stating the  
16 name and address of the applicant; the street and number of the  
17 building in which the business of the employment agency is to be  
18 conducted; the name of the person who is to have the general management  
19 of the office; the name under which the business of the office is to be  
20 carried on; whether or not the applicant is pecuniarily interested in  
21 the business to be carried on under the license; shall be signed by the  
22 applicant and sworn to before a notary public; and shall identify  
23 anyone holding over twenty percent interest in the agency. If the  
24 applicant is a corporation, the application shall state the names and  
25 addresses of the officers and directors of the corporation, and shall  
26 be signed and sworn to by the president and secretary thereof. If the  
27 applicant is a partnership, the application shall also state the names  
28 and addresses of all partners therein, and shall be signed and sworn to  
29 by all of them. The application shall also state whether or not the  
30 applicant is, at the time of making the application, or has at any  
31 previous time been engaged in or interested in or employed by anyone  
32 engaged in the business of an employment agency.

33       (2) The application shall require a certification that no officer  
34 or holder of more than twenty percent interest in the business has been  
35 convicted of a felony within ten years of the application which  
36 directly relates to the business for which the license is sought, or  
37 had any judgment entered against such person in any civil action  
38 involving fraud, misrepresentation, or conversion.



1 (3) All applications for employment agency licenses shall be  
2 accompanied by a copy of the form of contract and fee schedule to be  
3 used between the employment agency and the applicant.

4 (4) No license to operate an employment agency in this state shall  
5 be issued, transferred, renewed, or remain in effect, unless the person  
6 who has or is to have the general management of the office has  
7 qualified pursuant to this section. The director may, for good cause  
8 shown, waive the requirement imposed by this section for a period not  
9 to exceed one hundred and twenty days. Persons who have been  
10 previously licensed or who have operated to the satisfaction of the  
11 director for at least one year prior to September 21, 1977 as a general  
12 manager shall be entitled to operate for up to one year from such date  
13 before being required to qualify under this section. In order to  
14 qualify, such person shall, through testing procedures developed by the  
15 director, show that such person has a knowledge of this law, pertinent  
16 labor laws, and laws against discrimination in employment in this state  
17 and of the United States. Said examination shall be given at least  
18 once each quarter and a fee for such examination shall be established  
19 by the director. Nothing in this chapter shall be construed to  
20 preclude any one natural person from being designated as the person who  
21 is to have the general management of up to three offices operated by  
22 any one licensee.

23 While employment directories may at the director's discretion be  
24 required to show that the person has a knowledge of this chapter,  
25 employment directories are exempt from testing on pertinent labor laws,  
26 and laws against discrimination in employment in this state and of the  
27 United States.

28 (5) Employment directories shall register with the department and  
29 meet all applicable requirements of this chapter but shall not be  
30 required to be licensed by the department or pay a licensing fee.

31 (6) 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 2 of this act, or is certified by a court  
34 as a person who is not in compliance with a residential or visitation  
35 order as provided in section 107 of this act may be issued a license or  
36 certificate under this chapter. The application of a person so  
37 certified by the department of social and health services or by a court  
38 may be reviewed for issuance of a license or certificate under this  
39 chapter after the person provides the department with a written release

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

3 **Sec. 66.** RCW 19.31.130 and 1969 ex.s. c 228 s 13 are each amended  
4 to read as follows:

5 (1) In accordance with the provisions of chapter 34.05 RCW as now  
6 or as hereafter amended, the director may by order deny, suspend or  
7 revoke the license of any employment agency if he finds that the  
8 applicant or licensee:

9 ((+1)) (a) Was previously the holder of a license issued under  
10 this chapter, which was revoked for cause and never reissued by the  
11 director, or which license was suspended for cause and the terms of the  
12 suspension have not been fulfilled;

13 ((+2)) (b) Has been found guilty of any felony within the past  
14 five years involving moral turpitude, or for any misdemeanor concerning  
15 fraud or conversion, or suffering any judgment in any civil action  
16 involving wilful fraud, misrepresentation or conversion;

17 ((+3)) (c) Has made a false statement of a material fact in his  
18 application or in any data attached thereto;

19 ((+4)) (d) Has violated any provisions of this chapter, or failed  
20 to comply with any rule or regulation issued by the director pursuant  
21 to this chapter.

22 (2) The director shall immediately suspend the license or  
23 certificate of a person who either (a) has been certified pursuant to  
24 section 2 of this act by the department of social and health services  
25 as a person who is not in compliance with a support order, or (b) has  
26 been certified pursuant to section 107 of this act by a court as a  
27 person who is not in compliance with a residential or visitation order.  
28 If the person has continued to meet all other requirements for  
29 reinstatement during the suspension, reissuance of the license or  
30 certificate shall be automatic upon the director's receipt of a written  
31 release issued by the department of social and health services or a  
32 court stating that the licensee is in compliance with the order.

33 **Sec. 67.** RCW 19.32.040 and 1982 c 182 s 32 are each amended to  
34 read as follows:

35 (1) No person hereafter shall engage within this state in the  
36 business of owning, operating or offering the services of any  
37 refrigerated locker or lockers without having obtained a license for

1 each such place of business. Application for such license shall be  
2 made through the master license system. Except as provided in  
3 subsection (2) of this section, such licenses shall be granted as a  
4 matter of right unless conditions exist which are grounds for a  
5 cancellation or revocation of a license as hereinafter set forth.

6 (2) 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 2 of this act, or is certified by a court  
9 as a person who is not in compliance with a residential or visitation  
10 order as provided in section 107 of this act may be issued a license or  
11 certificate under this chapter. The application of a person so  
12 certified by the department of social and health services or by a court  
13 may be reviewed for issuance of a license or certificate under this  
14 chapter after the person provides the department with a written release  
15 issued by the department of social and health services or a court  
16 stating that the person is in compliance with the order.

17 **Sec. 68.** RCW 19.32.060 and 1943 c 117 s 5 are each amended to read  
18 as follows:

19 (1) The director of agriculture may cancel or suspend any such  
20 license if he finds after proper investigation that (a) the licensee  
21 has violated any provision of this chapter or of any other law of this  
22 state relating to the operation of refrigerated lockers or of the sale  
23 of any human food in connection therewith, or any regulation effective  
24 under any act the administration of which is in the charge of the  
25 department of agriculture, or (b) the licensed refrigerated locker  
26 premises or any equipment used therein or in connection therewith is in  
27 an unsanitary condition and the licensee has failed or refused to  
28 remedy the same within ten days after receipt from the director of  
29 agriculture of written notice to do so.

30 (2) No license shall be revoked or suspended by the director  
31 without delivery to the licensee of a written statement of the charge  
32 involved and an opportunity to answer such charge within ten days from  
33 the date of such notice.

34 (3) Any order made by the director suspending or revoking any  
35 license may be reviewed by certiorari in the superior court of the  
36 county in which the licensed premises are located, within ten days from  
37 the date notice in writing of the director's order revoking or  
38 suspending such license has been served upon him.

1       (4) The director shall immediately suspend the license or  
2 certificate of a person who either (a) has been certified pursuant to  
3 section 2 of this act by the department of social and health services  
4 as a person who is not in compliance with a support order, or (b) has  
5 been certified pursuant to section 107 of this act by a court as a  
6 person who is not in compliance with a residential or visitation order.  
7 If the person has continued to meet all other requirements for  
8 reinstatement during the suspension, reissuance of the license or  
9 certificate shall be automatic upon the director's receipt of a written  
10 release issued by the department of social and health services or a  
11 court stating that the licensee is in compliance with the order.

12       **Sec. 69.** RCW 19.105.330 and 1988 c 159 s 5 are each amended to  
13 read as follows:

14       ~~((1))~~ (1) Unless an order denying effectiveness under RCW  
15 19.105.380 is in effect, or unless declared effective by order of the  
16 director prior thereto, the application for registration shall  
17 automatically become effective upon the expiration of the twentieth  
18 full business day following a filing with the director in complete and  
19 proper form, but an applicant may consent to the delay of effectiveness  
20 until such time as the director may by order declare registration  
21 effective or issue a permit to market.

22       (2) An application for registration, renewal of registration, or  
23 amendment is not in completed form and shall not be deemed a statutory  
24 filing until such time as all required fees, completed application  
25 forms, and the information and documents required pursuant to RCW  
26 19.105.320(1) and departmental rules have been filed.

27       It is the operator's responsibility to see that required filing  
28 materials and fees arrive at the appropriate mailing address of the  
29 department. Within seven business days, excluding the date of receipt,  
30 of receiving an application or initial request for registration and the  
31 filing fees, the department shall notify the applicant of receipt of  
32 the application and whether or not the application is complete and in  
33 proper form. If the application is incomplete, the department shall at  
34 the same time inform the applicant what additional documents or  
35 information is required.

36       If the application is not in a completed form, the department shall  
37 give immediate notice to the applicant. On the date the application is  
38 complete and properly filed, the statutory period for an in-depth

1 examination of the filing, prescribed in subsection (1) of this  
2 section, shall begin to run, unless the applicant and the department  
3 have agreed to a stay of effectiveness or the department has issued a  
4 denial of the application or a permit to market.

5 (3) No person who has been certified by the department of social  
6 and health services as a person who is not in compliance with a support  
7 order as provided in section 2 of this act, or is certified by a court  
8 as a person who is not in compliance with a residential or visitation  
9 order as provided in section 107 of this act may be issued a license or  
10 certificate under this chapter. The application of a person so  
11 certified by the department of social and health services or by a court  
12 may be reviewed for issuance of a license or certificate under this  
13 chapter after the person provides the department with a written release  
14 issued by the department of social and health services or a court  
15 stating that the person is in compliance with the order.

16 **Sec. 70.** RCW 19.105.380 and 1988 c 159 s 14 are each amended to  
17 read as follows:

18 (1) A registration or an application for registration of camping  
19 resort contracts or renewals thereof may by order be denied, suspended,  
20 or revoked if the director finds that:

21 (a) The advertising, sales techniques, or trade practices of the  
22 applicant, registrant, or its affiliate or agent have been or are  
23 deceptive, false, or misleading;

24 (b) The applicant or registrant has failed to file copies of the  
25 camping resort contract form under RCW 19.105.360;

26 (c) The applicant, registrant, or affiliate has failed to comply  
27 with any provision of this chapter, the rules adopted or the conditions  
28 of a permit granted under this chapter, or a stipulation or final order  
29 previously entered into by the operator or issued by the department  
30 under this chapter;

31 (d) The applicant's, registrant's, or affiliate's offering of  
32 camping resort contracts has worked or would work a fraud upon  
33 purchasers or owners of camping resort contracts;

34 (e) The camping resort operator or any officer, director, or  
35 affiliate of the camping resort operator has been within the last five  
36 years convicted of or pleaded nolo contendere to any misdemeanor or  
37 felony involving conversion, embezzlement, theft, fraud, or dishonesty,  
38 has been enjoined from or had any civil penalty assessed for a finding

1 of dishonest dealing or fraud in a civil suit, or been found to have  
2 engaged in any violation of any act designed to protect consumers, or  
3 has been engaged in dishonest practices in any industry involving sales  
4 to consumers;

5 (f) The applicant or registrant has represented or is representing  
6 to purchasers in connection with the offer or sale of a camping resort  
7 contract that a camping resort property, facility, amenity camp site,  
8 or other development is planned, promised, or required, and the  
9 applicant or registrant has not provided the director with a security  
10 or assurance of performance as required by this chapter;

11 (g) The applicant or registrant has not provided or is no longer  
12 providing the director with the necessary security arrangements to  
13 assure future availability of titles or properties as required by this  
14 chapter or agreed to in the permit to market;

15 (h) The applicant or registrant is or has been employing  
16 unregistered salespersons or offering or proposing a membership  
17 referral program not in compliance with this chapter;

18 (i) The applicant or registrant has breached any escrow, impound,  
19 reserve account, or trust arrangement or the conditions of an order or  
20 permit to market required by this chapter;

21 (j) The applicant or registrant has breached any stipulation or  
22 order entered into in settlement of the department's filing of a  
23 previous administrative action;

24 (k) The applicant or registrant has filed or caused to be filed  
25 with the director any document or affidavit, or made any statement  
26 during the course of a registration or exemption procedure with the  
27 director, that is materially untrue or misleading;

28 (l) The applicant or registrant has engaged in a practice of  
29 failing to provide the written disclosures to purchasers or prospective  
30 purchasers as required under this chapter;

31 (m) The applicant, registrant, or any of its officers, directors,  
32 or employees, if the operator is other than a natural person, have  
33 wilfully done, or permitted any of their salespersons or agents to do,  
34 any of the following:

35 (i) Engage in a pattern or practice of making untrue or misleading  
36 statements of a material fact, or omitting to state a material fact;

37 (ii) Employ any device, scheme, or artifice to defraud purchasers  
38 or members;

1 (iii) Engage in a pattern or practice of failing to provide the  
2 written disclosures to purchasers or prospective purchasers as required  
3 under this chapter;

4 (n) The applicant or registrant has failed to provide a bond,  
5 letter of credit, or other arrangement to assure delivery of promised  
6 gifts, prizes, awards, or other items of consideration, as required  
7 under this chapter, breached such a security arrangement, or failed to  
8 maintain such a security arrangement in effect because of a resignation  
9 or loss of a trustee, impound, or escrow agent;

10 (o) The applicant or registrant has engaged in a practice of  
11 selling contracts using material amendments or codicils that have not  
12 been filed or are the consequences of breaches or alterations in  
13 previously filed contracts;

14 (p) The applicant or registrant has engaged in a practice of  
15 selling or proposing to sell contracts in a ratio of contracts to sites  
16 available in excess of that filed in the affidavit required by this  
17 chapter;

18 (q) The camping resort operator has withdrawn, has the right to  
19 withdraw, or is proposing to withdraw from use all or any portion of  
20 any camping resort property devoted to the camping resort program,  
21 unless:

22 (i) Adequate provision has been made to provide within a reasonable  
23 time thereafter a substitute property in the same general area that is  
24 at least as desirable for the purpose of camping and outdoor  
25 recreation;

26 (ii) The property is withdrawn because, despite good faith efforts  
27 by the camping resort operator, a nonaffiliate of the camping resort  
28 has exercised a right of withdrawal from use by the camping resort  
29 (such as withdrawal following expiration of a lease of the property to  
30 the camping resort) and the terms of the withdrawal right have been  
31 disclosed in writing to all purchasers at or prior to the time of any  
32 sales of camping resort contracts after the camping resort has  
33 represented to purchasers that the property is or will be available for  
34 camping or recreation purposes;

35 (iii) The specific date upon which the withdrawal becomes effective  
36 has been disclosed in writing to all purchasers and members prior to  
37 the time of any sales of camping resort contracts after the camping  
38 resort has represented to purchasers that the property is or will be  
39 available for camping or recreation purposes;

1 (iv) The rights of members and owners of the camping resort  
2 contracts under the express terms of the camping resort contract have  
3 expired, or have been specifically limited, upon the lapse of a stated  
4 or determinable period of time, and the director by order has found  
5 that the withdrawal is not otherwise inconsistent with the protection  
6 of purchasers or the desire of the majority of the owners of camping  
7 resort contracts, as expressed in their previously obtained vote of  
8 approval;

9 (r) The format, form, or content of the written disclosures  
10 provided therein is not complete, full, or materially accurate, or  
11 statements made therein are materially false, misleading, or deceptive;

12 (s) The applicant or registrant has failed or declined to respond  
13 to any subpoena lawfully issued and served by the department under this  
14 chapter;

15 (t) The applicant or registrant has failed to file an amendment for  
16 a material change in the manner or at the time required under this  
17 chapter or its implementing rules;

18 (u) The applicant or registrant has filed voluntarily or been  
19 placed involuntarily into a federal bankruptcy or is proposing to do  
20 so; or

21 (v) A camping resort operator's rights or interest in a campground  
22 has been terminated by foreclosure or the operations in a camping  
23 resort have been terminated in a manner contrary to contract  
24 provisions.

25 (2) Any applicant or registrant who has violated subsection (1)(a),  
26 (b), (c), (f), (h), (i), (j), (l), (m), or (n) of this section may be  
27 fined by the director in an amount not to exceed one thousand dollars  
28 for each such violation. Proceedings seeking such fines shall be held  
29 in accordance with chapter 34.05 RCW and may be filed either separately  
30 or in conjunction with other administrative proceedings to deny,  
31 suspend, or revoke registrations authorized under this chapter. Fines  
32 collected from such proceedings shall be deposited in the state general  
33 fund.

34 (3) An operator, registrant, or applicant against whom  
35 administrative or legal proceedings have been filed shall be  
36 responsible for and shall reimburse the state, by payment into the  
37 general fund, for all administrative and legal costs actually incurred  
38 by the department in issuing, processing, and conducting any such  
39 administrative or legal proceeding authorized under this chapter that



1 results in a final legal or administrative determination of any type or  
2 degree in favor of the department.

3 (4) No order may be entered under this section without appropriate  
4 prior notice to the applicant or registrant of opportunity for a  
5 hearing and written findings of fact and conclusions of law, except  
6 that the director may by order summarily deny an application for  
7 registration or renewal under any of the above subsections and may  
8 summarily suspend or revoke a registration under subsection (1)(d),  
9 (f), (g), (h), (i), (k), (l), (m), and (n) of this section. No fine  
10 may be imposed by summary order.

11 (5) The proceedings to deny an application or renewal, suspend or  
12 revoke a registration or permit, whether summarily or otherwise, or  
13 impose a fine shall be held in accordance with chapter 34.05 RCW.

14 (6) The director may enter into assurances of discontinuance in  
15 lieu of issuing a statement of charges or a cease and desist order or  
16 conducting a hearing under this chapter. The assurances shall consist  
17 of a statement of the law in question and an agreement not to violate  
18 the stated provision. The applicant or registrant shall not be  
19 required to admit to any violation of the law, nor shall the assurance  
20 be construed as such an admission. Violating or breaching an assurance  
21 under this subsection is grounds for suspension or revocation of  
22 registration or imposition of a fine.

23 (7) The director shall immediately suspend the license or  
24 certificate of a person who either (a) has been certified pursuant to  
25 section 2 of this act by the department of social and health services  
26 as a person who is not in compliance with a support order, or (b) has  
27 been certified pursuant to section 107 of this act by a court as a  
28 person who is not in compliance with a residential or visitation order.  
29 If the person has continued to meet all other requirements for  
30 reinstatement during the suspension, reissuance of the license or  
31 certificate shall be automatic upon the director's receipt of a written  
32 release issued by the department of social and health services or a  
33 court stating that the licensee is in compliance with the order.

34 **Sec. 71.** RCW 19.105.440 and 1988 c 159 s 21 are each amended to  
35 read as follows:

36 (1) A salesperson may apply for registration by filing in a  
37 complete and readable form with the director an application form  
38 provided by the director which includes the following:

1 (a) A statement whether or not the applicant within the past five  
2 years has been convicted of, pleaded nolo contendere to, or been ordered  
3 to serve probation for a period of a year or more for any misdemeanor  
4 or felony involving conversion, embezzlement, theft, fraud, or  
5 dishonesty or the applicant has been enjoined from, had any civil  
6 penalty assessed for, or been found to have engaged in any violation of  
7 any act designed to protect consumers;

8 (b) A statement fully describing the applicant's employment history  
9 for the past five years and whether or not any termination of  
10 employment during the last five years was the result of any theft,  
11 fraud, or act of dishonesty;

12 (c) A consent to service comparable to that required of operators  
13 under this chapter; and

14 (d) Required filing fees.

15 (2) The director may by order deny, suspend, or revoke a camping  
16 resort salesperson's registration or application for registration under  
17 this chapter or the person's license or application under chapter 18.85  
18 RCW, or impose a fine on such persons not exceeding two hundred dollars  
19 per violation, if the director finds that the order is necessary for  
20 the protection of purchasers or owners of camping resort contracts and  
21 the applicant or registrant is guilty of:

22 (a) Obtaining registration by means of fraud, misrepresentation, or  
23 concealment, or through the mistake or inadvertence of the director;

24 (b) Violating any of the provisions of this chapter or any lawful  
25 rules adopted by the director pursuant thereto;

26 (c) Being convicted in a court of competent jurisdiction of this or  
27 any other state, or federal court, of forgery, embezzlement, obtaining  
28 money under false pretenses, bribery, larceny, extortion, conspiracy to  
29 defraud, or any similar offense or offenses. For the purposes of this  
30 section, "being convicted" includes all instances in which a plea of  
31 guilty or nolo contendere is the basis for the conviction, and all  
32 proceedings in which the sentence has been deferred or suspended;

33 (d) Making, printing, publishing, distributing, or causing,  
34 authorizing, or knowingly permitting the making, printing, publication,  
35 or distribution of false statements, descriptions, or promises of such  
36 character as to reasonably induce any person to act thereon, if the  
37 statements, descriptions, or promises purport to be made or to be  
38 performed by either the applicant or registrant and the applicant or  
39 registrant then knew or, by the exercise of reasonable care and

1 inquiry, could have known, of the falsity of the statements,  
2 descriptions, or promises;

3 (e) Knowingly committing, or being a party to, any material fraud,  
4 misrepresentation, concealment, conspiracy, collusion, trick, scheme,  
5 or device whereby any other person lawfully relies upon the work,  
6 representation, or conduct of the applicant or registrant;

7 (f) Failing, upon demand, to disclose to the director or the  
8 director's authorized representatives acting by authority of law any  
9 information within his or her knowledge or to produce for inspection  
10 any document, book or record in his or her possession, which is  
11 material to the salesperson's registration or application for  
12 registration;

13 (g) Continuing to sell camping resort contracts in a manner whereby  
14 the interests of the public are endangered, if the director has, by  
15 order in writing, stated objections thereto;

16 (h) Committing any act of fraudulent or dishonest dealing or a  
17 crime involving moral turpitude, and a certified copy of the final  
18 holding of any court of competent jurisdiction in such matter shall be  
19 conclusive evidence in any hearing under this chapter;

20 (i) Misrepresentation of membership in any state or national  
21 association; or

22 (j) Discrimination against any person in hiring or in sales  
23 activity on the basis of race, color, creed, or national origin, or  
24 violating any state or federal antidiscrimination law.

25 (3) No order may be entered under this section without appropriate  
26 prior notice to the applicant or registrant of opportunity for a  
27 hearing and written findings of fact and conclusions of law, except  
28 that the director may by order summarily deny an application for  
29 registration under this section.

30 (4) The proceedings to deny an application or renewal, suspend or  
31 revoke a registration or permit, whether summarily or otherwise, or  
32 impose a fine shall be held in accordance with chapter 34.05 RCW.

33 (5) The director, subsequent to any complaint filed against a  
34 salesperson or pursuant to an investigation to determine violations,  
35 may enter into stipulated assurances of discontinuances in lieu of  
36 issuing a statement of charges or a cease and desist order or  
37 conducting a hearing. The assurance shall consist of a statement of  
38 the law in question and an agreement not to violate the stated  
39 provision. The salesperson shall not be required to admit to any

1 violation of the law, nor shall the assurance be construed as such an  
2 admission. Violation of an assurance under this subsection is grounds  
3 for a disciplinary action, a suspension of registration, or a fine not  
4 to exceed one thousand dollars.

5 (6) The director may by rule require such further information or  
6 conditions for registration as a camping resort salesperson, including  
7 qualifying examinations and fingerprint cards prepared by authorized  
8 law enforcement agencies, as the director deems necessary to protect  
9 the interests of purchasers.

10 (7) Registration as a camping resort salesperson shall be effective  
11 for a period of one year unless the director specifies otherwise or the  
12 salesperson transfers employment to a different registrant.  
13 Registration as a camping resort salesperson shall be renewed annually,  
14 or at the time of transferring employment, whichever occurs first, by  
15 the filing of a form prescribed by the director for that purpose.

16 (8) It is unlawful for a registrant of camping resort contracts to  
17 employ or a person to act as a camping resort salesperson covered under  
18 this section unless the salesperson has in effect with the department  
19 and displays a valid registration in a conspicuous location at each of  
20 the sales offices at which the salesperson is employed. It is the  
21 responsibility of both the operator and the salesperson to notify the  
22 department when and where a salesperson is employed, his or her  
23 responsibilities and duties, and when the salesperson's employment or  
24 reported duties are changed or terminated.

25 (9) No person who has been certified by the department of social  
26 and health services as a person who is not in compliance with a support  
27 order as provided in section 2 of this act, or is certified by a court  
28 as a person who is not in compliance with a residential or visitation  
29 order as provided in section 107 of this act may be issued a license or  
30 certificate under this chapter. The application of a person so  
31 certified by the department of social and health services or by a court  
32 may be reviewed for issuance of a license or certificate under this  
33 chapter after the person provides the department with a written release  
34 issued by the department of social and health services or a court  
35 stating that the person is in compliance with the order.

36 (10) The director shall immediately suspend the license or  
37 certificate of a person who either (a) has been certified pursuant to  
38 section 2 of this act by the department of social and health services  
39 as a person who is not in compliance with a support order, or (b) has

1 been certified pursuant to section 107 of this act by a court as a  
2 person who is not in compliance with a residential or visitation order.  
3 If the person has continued to meet all other requirements for  
4 reinstatement during the suspension, reissuance of the license or  
5 certificate shall be automatic upon the director's receipt of a written  
6 release issued by the department of social and health services or a  
7 court stating that the licensee is in compliance with the order.

8       **Sec. 72.** RCW 19.138.130 and 1994 c 237 s 6 are each amended to  
9 read as follows:

10       (1) The director may deny, suspend, or revoke the registration of  
11 a seller of travel if the director finds that the applicant:

12       (a) Was previously the holder of a registration issued under this  
13 chapter, and the registration was revoked for cause and never reissued  
14 by the director, or the registration was suspended for cause and the  
15 terms of the suspension have not been fulfilled;

16       (b) Has been found guilty of a felony within the past five years  
17 involving moral turpitude, or of a misdemeanor concerning fraud or  
18 conversion, or suffers a judgment in a civil action involving willful  
19 fraud, misrepresentation, or conversion;

20       (c) Has made a false statement of a material fact in an application  
21 under this chapter or in data attached to it;

22       (d) Has violated this chapter or failed to comply with a rule  
23 adopted by the director under this chapter;

24       (e) Has failed to display the registration as provided in this  
25 chapter;

26       (f) Has published or circulated a statement with the intent to  
27 deceive, misrepresent, or mislead the public;

28       (g) Has committed a fraud or fraudulent practice in the operation  
29 and conduct of a travel agency business, including, but not limited to,  
30 intentionally misleading advertising; or

31       (h) Has aided or abetted a person, firm, or corporation that they  
32 know has not registered in this state in the business of conducting a  
33 travel agency or other sale of travel.

34       (2) If the seller of travel is found in violation of this chapter  
35 or in violation of the consumer protection act, chapter 19.86 RCW, by  
36 the entry of a judgment or by settlement of a claim, the director may  
37 revoke the registration of the seller of travel, and the director may  
38 reinstate the registration at the director's discretion.

1       (3) No person who has been certified by the department of social  
2 and health services as a person who is not in compliance with a support  
3 order as provided in section 2 of this act, or is certified by a court  
4 as a person who is not in compliance with a residential or visitation  
5 order as provided in section 107 of this act may be issued a license or  
6 certificate under this chapter. The application of a person so  
7 certified by the department of social and health services or by a court  
8 may be reviewed for issuance of a license or certificate under this  
9 chapter after the person provides the department with a written release  
10 issued by the department of social and health services or a court  
11 stating that the person is in compliance with the order.

12       (4) The director shall immediately suspend the license or  
13 certificate of a person who either (a) has been certified pursuant to  
14 section 2 of this act by the department of social and health services  
15 as a person who is not in compliance with a support order, or (b) has  
16 been certified pursuant to section 107 of this act by a court as a  
17 person who is not in compliance with a residential or visitation order.  
18 If the person has continued to meet all other requirements for  
19 reinstatement during the suspension, reissuance of the license or  
20 certificate shall be automatic upon the director's receipt of a written  
21 release issued by the department of social and health services or a  
22 court stating that the licensee is in compliance with the order.

23       **Sec. 73.** RCW 19.158.050 and 1989 c 20 s 5 are each amended to read  
24 as follows:

25       (1) In order to maintain or defend a lawsuit or do any business in  
26 this state, a commercial telephone solicitor must be registered with  
27 the department of licensing. Prior to doing business in this state, a  
28 commercial telephone solicitor shall register with the department of  
29 licensing. Doing business in this state includes both commercial  
30 telephone solicitation from a location in Washington and solicitation  
31 of purchasers located in Washington.

32       (2) The department of licensing, in registering commercial  
33 telephone solicitors, shall have the authority to require the  
34 submission of information necessary to assist in identifying and  
35 locating a commercial telephone solicitor, including past business  
36 history, prior judgments, and such other information as may be useful  
37 to purchasers.

1 (3) The department of licensing shall issue a registration number  
2 to the commercial telephone solicitor.

3 (4) It is a violation of this chapter for a commercial telephone  
4 solicitor to:

5 (a) Fail to maintain a valid registration;

6 (b) Advertise that one is registered as a commercial telephone  
7 solicitor or to represent that such registration constitutes approval  
8 or endorsement by any government or governmental office or agency;

9 (c) Provide inaccurate or incomplete information to the department  
10 of licensing when making a registration application; or

11 (d) Represent that a person is registered or that such person has  
12 a valid registration number when such person does not.

13 (5) An annual registration fee shall be assessed by the department  
14 of licensing, the amount of which shall be determined at the discretion  
15 of the director of the department of licensing, and which shall be  
16 reasonably related to the cost of administering the provisions of this  
17 chapter.

18 (6) No person who has been certified by the department of social  
19 and health services as a person who is not in compliance with a support  
20 order as provided in section 2 of this act, or is certified by a court  
21 as a person who is not in compliance with a residential or visitation  
22 order as provided in section 107 of this act may be issued a license or  
23 certificate under this chapter. The application of a person so  
24 certified by the department of social and health services or by a court  
25 may be reviewed for issuance of a license or certificate under this  
26 chapter after the person provides the department with a written release  
27 issued by the department of social and health services or a court  
28 stating that the person is in compliance with the order.

29 (7) The department shall immediately suspend the license or  
30 certificate of a person who either (a) has been certified pursuant to  
31 section 2 of this act by the department of social and health services  
32 as a person who is not in compliance with a support order, or (b) has  
33 been certified pursuant to section 107 of this act by a court as a  
34 person who is not in compliance with a residential or visitation order.  
35 If the person has continued to meet all other requirements for  
36 reinstatement during the suspension, reissuance of the license or  
37 certificate shall be automatic upon the department's receipt of a  
38 written release issued by the department of social and health services  
39 or a court stating that the licensee is in compliance with the order.

1       **Sec. 74.** RCW 19.166.040 and 1995 c 60 s 2 are each amended to read  
2 as follows:

3       (1) An application for registration as an international student  
4 exchange visitor placement organization shall be submitted in the form  
5 prescribed by the secretary of state. The application shall include:

6       (a) Evidence that the organization meets the standards established  
7 by the secretary of state under RCW 19.166.050;

8       (b) The name, address, and telephone number of the organization,  
9 its chief executive officer, and the person within the organization who  
10 has primary responsibility for supervising placements within the state;

11       (c) The organization's unified business identification number, if  
12 any;

13       (d) The organization's United States Information Agency number, if  
14 any;

15       (e) Evidence of council on standards for international educational  
16 travel listing, if any;

17       (f) Whether the organization is exempt from federal income tax; and

18       (g) A list of the organization's placements in Washington for the  
19 previous academic year including the number of students placed, their  
20 home countries, the school districts in which they were placed, and the  
21 length of their placements.

22       (2) The application shall be signed by the chief executive officer  
23 of the organization and the person within the organization who has  
24 primary responsibility for supervising placements within Washington.  
25 If the secretary of state determines that the application is complete,  
26 the secretary of state shall file the application and the applicant is  
27 registered.

28       (3) International student exchange visitor placement organizations  
29 that have registered shall inform the secretary of state of any changes  
30 in the information required under subsection (1) of this section within  
31 thirty days of the change.

32       (4) Registration shall be renewed annually as established by rule  
33 by the office of the secretary of state.

34       (5) No person who has been certified by the department of social  
35 and health services as a person who is not in compliance with a support  
36 order as provided in section 2 of this act, or is certified by a court  
37 as a person who is not in compliance with a residential or visitation  
38 order as provided in section 107 of this act may be issued a license or  
39 certificate under this chapter. The application of a person so



1 certified by the department of social and health services or by a court  
2 may be reviewed for issuance of a license or certificate under this  
3 chapter after the person provides the department with a written release  
4 issued by the department of social and health services or a court  
5 stating that the person is in compliance with the order.

6 (6) The office of the secretary of state shall immediately suspend  
7 the license or certificate of a person who either (a) has been  
8 certified pursuant to section 2 of this act by the department of social  
9 and health services as a person who is not in compliance with a support  
10 order, or (b) has been certified pursuant to section 107 of this act by  
11 a court as a person who is not in compliance with a residential or  
12 visitation order. If the person has continued to meet all other  
13 requirements for reinstatement during the suspension, reissuance of the  
14 license or certificate shall be automatic upon the office of the  
15 secretary of state's receipt of a written release issued by the  
16 department of social and health services or a court stating that the  
17 licensee is in compliance with the order.

18 NEW SECTION. Sec. 75. A new section is added to chapter 20.01 RCW  
19 to read as follows:

20 (1) No person who has been certified by the department of social  
21 and health services as a person who is not in compliance with a support  
22 order as provided in section 2 of this act, or is certified by a court  
23 as a person who is not in compliance with a residential or visitation  
24 order as provided in section 107 of this act may be issued a license or  
25 certificate under this chapter. The application of a person so  
26 certified by the department of social and health services or by a court  
27 may be reviewed for issuance of a license or certificate under this  
28 chapter after the person provides the department with a written release  
29 issued by the department of social and health services or a court  
30 stating that the person is in compliance with the order.

31 (2) The director shall immediately suspend the license or  
32 certificate of a person who either (a) has been certified pursuant to  
33 section 2 of this act by the department of social and health services  
34 as a person who is not in compliance with a support order, or (b) has  
35 been certified pursuant to section 107 of this act by a court as a  
36 person who is not in compliance with a residential or visitation order.  
37 If the person has continued to meet all other requirements for  
38 reinstatement during the suspension, reissuance of the license or

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

4 **Sec. 76.** RCW 21.20.070 and 1981 c 272 s 2 are each amended to read  
5 as follows:

6 (1) Except as provided in subsection (2) of this section, if no  
7 denial order is in effect and no proceeding is pending under RCW  
8 21.20.110, registration becomes effective when the applicant has  
9 successfully passed a written examination as prescribed by rule or  
10 order of the director with the advice of the advisory committee, or has  
11 satisfactorily demonstrated that the applicant is exempt from the  
12 written examination requirements of this section.

13 (2) No person who has been certified by the department of social  
14 and health services as a person who is not in compliance with a support  
15 order as provided in section 2 of this act, or is certified by a court  
16 as a person who is not in compliance with a residential or visitation  
17 order as provided in section 107 of this act may be issued a license or  
18 certificate under this chapter. The application of a person so  
19 certified by the department of social and health services or by a court  
20 may be reviewed for issuance of a license or certificate under this  
21 chapter after the person provides the department with a written release  
22 issued by the department of social and health services or a court  
23 stating that the person is in compliance with the order.

24 **Sec. 77.** RCW 21.20.110 and 1994 c 256 s 10 are each amended to  
25 read as follows:

26 The director may by order deny, suspend, or revoke registration of  
27 any broker-dealer, salesperson, investment adviser representative, or  
28 investment adviser; censure or fine the registrant or an officer,  
29 director, partner, or person occupying similar functions for a  
30 registrant; or restrict or limit a registrant's function or activity of  
31 business for which registration is required in this state; if the  
32 director finds that the order is in the public interest and that the  
33 applicant or registrant or, in the case of a broker-dealer or  
34 investment adviser, any partner, officer, or director:

35 (1) Has filed an application for registration under this section  
36 which, as of its effective date, or as of any date after filing in the  
37 case of an order denying effectiveness, was incomplete in any material

1 respect or contained any statement which was, in the light of the  
2 circumstances under which it was made, false, or misleading with  
3 respect to any material fact;

4 (2) Has willfully violated or willfully failed to comply with any  
5 provision of this chapter or a predecessor act or any rule or order  
6 under this chapter or a predecessor act, or any provision of chapter  
7 21.30 RCW or any rule or order thereunder;

8 (3) Has been convicted, within the past five years, of any  
9 misdemeanor involving a security, or a commodity contract or commodity  
10 option as defined in RCW 21.30.010, or any aspect of the securities or  
11 investment commodities business, or any felony involving moral  
12 turpitude;

13 (4) Is permanently or temporarily enjoined by any court of  
14 competent jurisdiction from engaging in or continuing any conduct or  
15 practice involving any aspect of the securities or investment  
16 commodities business;

17 (5) Is the subject of an order of the director denying, suspending,  
18 or revoking registration as a broker-dealer, salesperson, investment  
19 adviser, or investment adviser representative;

20 (6) Is the subject of an order entered within the past five years  
21 by the securities administrator of any other state or by the federal  
22 securities and exchange commission denying or revoking registration as  
23 a broker-dealer or salesperson, or a commodity broker-dealer or sales  
24 representative, or the substantial equivalent of those terms as defined  
25 in this chapter or by the commodity futures trading commission denying  
26 or revoking registration as a commodity merchant as defined in RCW  
27 21.30.010, or is the subject of an order of suspension or expulsion  
28 from membership in or association with a self-regulatory organization  
29 registered under the securities exchange act of 1934 or the federal  
30 commodity exchange act, or is the subject of a United States post  
31 office fraud order; but (a) the director may not institute a revocation  
32 or suspension proceeding under this clause more than one year from the  
33 date of the order relied on, and (b) the director may not enter any  
34 order under this clause on the basis of an order unless that order was  
35 based on facts which would currently constitute a ground for an order  
36 under this section;

37 (7) Has engaged in dishonest or unethical practices in the  
38 securities or investment commodities business;

1 (8) Is insolvent, either in the sense that his or her liabilities  
2 exceed his or her assets or in the sense that he or she cannot meet his  
3 or her obligations as they mature; but the director may not enter an  
4 order against a broker-dealer or investment adviser under this clause  
5 without a finding of insolvency as to the broker-dealer or investment  
6 adviser;

7 (9) Has not complied with a condition imposed by the director under  
8 RCW 21.20.100, or is not qualified on the basis of such factors as  
9 training, experience, or knowledge of the securities business; or

10 (10)(a) Has failed to supervise reasonably a salesperson or an  
11 investment adviser representative. For the purposes of this  
12 subsection, no person fails to supervise reasonably another person, if:

13 (i) There are established procedures, and a system for applying  
14 those procedures, that would reasonably be expected to prevent and  
15 detect, insofar as practicable, any violation by another person of this  
16 chapter, or a rule or order under this chapter; and

17 (ii) The supervising person has reasonably discharged the duties  
18 and obligations required by these procedures and system without  
19 reasonable cause to believe that another person was violating this  
20 chapter or rules or orders under this chapter.

21 (b) The director may issue a summary order pending final  
22 determination of a proceeding under this section upon a finding that it  
23 is in the public interest and necessary or appropriate for the  
24 protection of investors. The director may not impose a fine under this  
25 section except after notice and opportunity for hearing. The fine  
26 imposed under this section may not exceed five thousand dollars for  
27 each act or omission that constitutes the basis for issuing the order.

28 The director shall immediately suspend the license or certificate  
29 of a person who either has been certified pursuant to section 2 of this  
30 act by the department of social and health services as a person who is  
31 not in compliance with a support order, or has been certified pursuant  
32 to section 107 of this act by a court as a person who is not in  
33 compliance with a residential or visitation order. If the person has  
34 continued to meet all other requirements for reinstatement during the  
35 suspension, reissuance of the license or certificate shall be automatic  
36 upon the director's receipt of a written release issued by the  
37 department of social and health services or a court stating that the  
38 licensee is in compliance with the order.

1        NEW SECTION.    **Sec. 78.**    A new section is added to chapter 48.17 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 2 of this act, or is certified by a court  
6 as a person who is not in compliance with a residential or visitation  
7 order as provided in section 107 of this act may be issued a license or  
8 certificate under this chapter.    The application of a person so  
9 certified by the department of social and health services or by a court  
10 may be reviewed for issuance of a license or certificate under this  
11 chapter after the person provides the department with a written release  
12 issued by the department of social and health services or a court  
13 stating that the person is in compliance with the order.

14        (2) The commissioner shall immediately suspend the license or  
15 certificate of a person who either (a) has been certified pursuant to  
16 section 2 of this act by the department of social and health services  
17 as a person who is not in compliance with a support order, or (b) has  
18 been certified pursuant to section 107 of this act by a court as a  
19 person who is not in compliance with a residential or visitation order.  
20 If the person has continued to meet all other requirements for  
21 reinstatement during the suspension, reissuance of the license or  
22 certificate shall be automatic upon the commissioner's receipt of a  
23 written release issued by the department of social and health services  
24 or a court stating that the licensee is in compliance with the order.

25        NEW SECTION.    **Sec. 79.**    A new section is added to chapter 74.15 RCW  
26 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 2 of this act, or is certified by a court  
30 as a person who is not in compliance with a residential or visitation  
31 order as provided in section 107 of this act may be issued a license or  
32 certificate under this chapter.    The application of a person so  
33 certified by the department of social and health services or by a court  
34 may be reviewed for issuance of a license or certificate under this  
35 chapter after the person provides the department with a written release  
36 issued by the department of social and health services or a court  
37 stating that the person is in compliance with the order.

1 (2) The secretary shall immediately suspend the license or  
2 certificate of a person who either (a) has been certified pursuant to  
3 section 2 of this act by the department of social and health services  
4 as a person who is not in compliance with a support order, or (b) has  
5 been certified pursuant to section 107 of this act by a court as a  
6 person who is not in compliance with a residential or visitation order.  
7 If the person has continued to meet all other requirements for  
8 reinstatement during the suspension, reissuance of the license or  
9 certificate shall be automatic upon the secretary's receipt of a  
10 written release issued by the department of social and health services  
11 or a court stating that the licensee is in compliance with the order.

12 NEW SECTION. Sec. 80. A new section is added to chapter 47.68 RCW  
13 to read as follows:

14 (1) No person who has been certified by the department of social  
15 and health services as a person who is not in compliance with a support  
16 order as provided in section 2 of this act, or is certified by a court  
17 as a person who is not in compliance with a residential or visitation  
18 order as provided in section 107 of this act may be issued a license or  
19 certificate under this chapter. The application of a person so  
20 certified by the department of social and health services or by a court  
21 may be reviewed for issuance of a license or certificate under this  
22 chapter after the person provides the department with a written release  
23 issued by the department of social and health services or a court  
24 stating that the person is in compliance with the order.

25 (2) The department shall immediately suspend the license or  
26 certificate of a person who either (a) has been certified pursuant to  
27 section 2 of this act by the department of social and health services  
28 as a person who is not in compliance with a support order, or (b) has  
29 been certified pursuant to section 107 of this act by a court as a  
30 person who is not in compliance with a residential or visitation order.  
31 If the person has continued to meet all other requirements for  
32 reinstatement during the suspension, reissuance of the license or  
33 certificate shall be automatic upon the department's receipt of a  
34 written release issued by the department of social and health services  
35 or a court stating that the licensee is in compliance with the order.

36 NEW SECTION. Sec. 81. A new section is added to chapter 71.12 RCW  
37 to read as follows:

1 (1) No person who has been certified by the department of social  
2 and health services as a person who is not in compliance with a support  
3 order as provided in section 2 of this act, or is certified by a court  
4 as a person who is not in compliance with a residential or visitation  
5 order as provided in section 107 of this act may be issued a license or  
6 certificate under this chapter. The application of a person so  
7 certified by the department of social and health services or by a court  
8 may be reviewed for issuance of a license or certificate under this  
9 chapter after the person provides the department with a written release  
10 issued by the department of social and health services or a court  
11 stating that the person is in compliance with the order.

12 (2) The department of health shall immediately suspend the license  
13 or certificate of a person who either (a) has been certified pursuant  
14 to section 2 of this act by the department of social and health  
15 services as a person who is not in compliance with a support order, or  
16 (b) has been certified pursuant to section 107 of this act by a court  
17 as a person who is not in compliance with a residential or visitation  
18 order. If the person has continued to meet all other requirements for  
19 reinstatement during the suspension, reissuance of the license or  
20 certificate shall be automatic upon the department of health's receipt  
21 of a written release issued by the department of social and health  
22 services or a court stating that the licensee is in compliance with the  
23 order.

24 **Sec. 82.** RCW 66.20.320 and 1995 c 51 s 4 are each amended to read  
25 as follows:

26 (1) The board shall regulate a required alcohol server education  
27 program that includes:

28 (a) Development of the curriculum and materials for the education  
29 program;

30 (b) Examination and examination procedures;

31 (c) Certification procedures, enforcement policies, and penalties  
32 for education program instructors and providers;

33 (d) The curriculum for an approved class 12 alcohol permit training  
34 program that includes but is not limited to the following subjects:

35 (i) The physiological effects of alcohol including the effects of  
36 alcohol in combination with drugs;

37 (ii) Liability and legal information;

38 (iii) Driving while intoxicated;

1 (iv) Intervention with the problem customer, including ways to stop  
2 service, ways to deal with the belligerent customer, and alternative  
3 means of transportation to get the customer safely home;

4 (v) Methods for checking proper identification of customers;

5 (vi) Nationally recognized programs, such as TAM (Techniques in  
6 Alcohol Management) and TIPS (Training for Intervention Programs)  
7 modified to include Washington laws and regulations.

8 (2) The board shall provide the program through liquor licensee  
9 associations, independent contractors, private persons, private or  
10 public schools certified by the board, or any combination of such  
11 providers.

12 (3) Except as provided in section 84 of this act, each training  
13 entity shall provide a class 12 permit to the manager or bartender who  
14 has successfully completed a course the board has certified. A list of  
15 the individuals receiving the class 12 permit shall be forwarded to the  
16 board on the completion of each course given by the training entity.

17 (4) After July 1, 1996, the board shall require all alcohol servers  
18 applying for a class 13 alcohol server permit to view a video training  
19 session. Retail liquor licensees shall fully compensate employees for  
20 the time spent participating in this training session.

21 (5) When requested by a retail liquor licensee, the board shall  
22 provide copies of videotaped training programs that have been produced  
23 by private vendors and make them available for a nominal fee to cover  
24 the cost of purchasing and shipment, with the fees being deposited in  
25 the liquor revolving fund for distribution to the board as needed.

26 (6) Each training entity may provide the board with a video program  
27 of not less than one hour that covers the subjects in subsection (1)(d)  
28 (i) through (v) of this section that will be made available to a  
29 licensee for the training of a class 13 alcohol server.

30 (7) Except as provided in section 84 of this act, applicants shall  
31 be given a class 13 permit upon the successful completion of the  
32 program.

33 (8) A list of the individuals receiving the class 13 permit shall  
34 be forwarded to the board on the completion of each video training  
35 program.

36 (9) The board shall develop a model permit for the class 12 and 13  
37 permits. The board may provide such permits to training entities or  
38 licensees for a nominal cost to cover production.



1 (10) Persons who have completed a nationally recognized alcohol  
2 management or intervention program since July 1, 1993, may be issued a  
3 class 12 or 13 permit upon providing proof of completion of such  
4 training to the board.

5 NEW SECTION. **Sec. 83.** A new section is added to chapter 66.20 RCW  
6 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 2 of this act, or is certified by a court  
10 as a person who is not in compliance with a residential or visitation  
11 order as provided in section 107 of this act may be issued a license  
12 under this chapter. The application of a person so certified by the  
13 department of social and health services or by a court may be reviewed  
14 for issuance of a license under this chapter after the person provides  
15 the department with a written release issued by the department of  
16 social and health services or a court stating that the person is in  
17 compliance with the order.

18 (2) The board shall immediately suspend the license of a person who  
19 either (a) has been certified pursuant to section 2 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, or (b) has been certified pursuant to  
22 section 107 of this act by a court as a person who is not in compliance  
23 with a residential or visitation order. If the person has continued to  
24 meet all other requirements for reinstatement during the suspension,  
25 reissuance of the license shall be automatic upon the board's receipt  
26 of a written release issued by the department of social and health  
27 services or a court stating that the licensee is in compliance with the  
28 order.

29 NEW SECTION. **Sec. 84.** A new section is added to chapter 66.24 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 2 of this act, or is certified by a court  
34 as a person who is not in compliance with a residential or visitation  
35 order as provided in section 107 of this act may be issued a license  
36 under this chapter. The application of a person so certified by the  
37 department of social and health services or by a court may be reviewed

1 for issuance of a license under this chapter after the person provides  
2 the department with a written release issued by the department of  
3 social and health services or a court stating that the person is in  
4 compliance with the order.

5 (2) The board shall immediately suspend the license of a person who  
6 either (a) has been certified pursuant to section 2 of this act by the  
7 department of social and health services as a person who is not in  
8 compliance with a support order, or (b) has been certified pursuant to  
9 section 107 of this act by a court as a person who is not in compliance  
10 with a residential or visitation order. If the person has continued to  
11 meet all other requirements for reinstatement during the suspension,  
12 reissuance of the license shall be automatic upon the board's receipt  
13 of a written release issued by the department of social and health  
14 services or a court stating that the licensee is in compliance with the  
15 order.

16 NEW SECTION. **Sec. 85.** A new section is added to chapter 88.02 RCW  
17 to read as follows:

18 (1) No person who has been certified by the department of social  
19 and health services as a person who is not in compliance with a support  
20 order as provided in section 2 of this act, or is certified by a court  
21 as a person who is not in compliance with a residential or visitation  
22 order as provided in section 107 of this act may be issued a vessel  
23 registration or a vessel dealer's registration under this chapter. The  
24 application of a person so certified by the department of social and  
25 health services or by a court may be reviewed for issuance of  
26 registration under this chapter after the person provides the  
27 department with a written release issued by the department of social  
28 and health services or a court stating that the person is in compliance  
29 with the order.

30 (2) The department shall immediately suspend the vessel  
31 registration or vessel dealer's registration of a person who either (a)  
32 has been certified pursuant to section 2 of this act by the department  
33 of social and health services as a person who is not in compliance with  
34 a support order, or (b) has been certified pursuant to section 107 of  
35 this act by a court as a person who is not in compliance with a  
36 residential or visitation order. If the person has continued to meet  
37 all other requirements for reinstatement during the suspension,  
38 reissuance of the registration shall be automatic upon the department's

1 receipt of a written release issued by the department of social and  
2 health services or a court stating that the licensee is in compliance  
3 with the order.

4 **Sec. 86.** RCW 67.08.040 and 1993 c 278 s 14 are each amended to  
5 read as follows:

6 Except as provided in RCW 67.08.100, upon the approval by the  
7 department of any application for a license, as hereinabove provided,  
8 and the filing of the bond the department shall forthwith issue such  
9 license.

10 **Sec. 87.** RCW 67.08.100 and 1993 c 278 s 20 are each amended to  
11 read as follows:

12 (1) The department may grant annual licenses upon application in  
13 compliance with the rules and regulations prescribed by the director,  
14 and the payment of the fees, the amount of which is to be set by the  
15 director in accordance with RCW 43.24.086, prescribed to promoters,  
16 managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the  
17 provisions of this section shall not apply to contestants or  
18 participants in strictly amateur contests and/or fraternal  
19 organizations and/or veterans' organizations chartered by congress or  
20 the defense department or any bona fide athletic club which is a member  
21 of the Pacific northwest association of the amateur athletic union of  
22 the United States, holding and promoting athletic contests and where  
23 all funds are used primarily for the benefit of their members.

24 (2) Any such license may be revoked by the department for any cause  
25 which it shall deem sufficient.

26 (3) No person shall participate or serve in any of the above  
27 capacities unless licensed as provided in this chapter.

28 (4) The referee for any boxing contest shall be designated by the  
29 department from among such licensed referees.

30 (5) The referee for any wrestling exhibition or show shall be  
31 provided by the promoter and licensed by the department.

32 (6) No person who has been certified by the department of social  
33 and health services as a person who is not in compliance with a support  
34 order as provided in section 2 of this act, or is certified by a court  
35 as a person who is not in compliance with a residential or visitation  
36 order as provided in section 107 of this act may be issued a license or  
37 certificate under this chapter. The application of a person so

1 certified by the department of social and health services or by a court  
2 may be reviewed for issuance of a license or certificate under this  
3 chapter after the person provides the department with a written release  
4 issued by the department of social and health services or a court  
5 stating that the person is in compliance with the order.

6 (7) The department shall immediately suspend the license or  
7 certificate of a person who either (a) has been certified pursuant to  
8 section 2 of this act by the department of social and health services  
9 as a person who is not in compliance with a support order, or (b) has  
10 been certified pursuant to section 107 of this act by a court as a  
11 person who is not in compliance with a residential or visitation order.  
12 If the person has continued to meet all other requirements for  
13 reinstatement during the suspension, reissuance of the license or  
14 certificate shall be automatic upon the department's receipt of a  
15 written release issued by the department of social and health services  
16 or a court stating that the licensee is in compliance with the order.

17 **Sec. 88.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read  
18 as follows:

19 (1) The department shall not issue or renew a master license to any  
20 person if:

21 (a) The person does not have a valid tax registration, if required;

22 (b) The person is a corporation delinquent in fees or penalties  
23 owing to the secretary of state or is not validly registered under  
24 Title 23B RCW, chapter 18.100 RCW, Title 24 RCW, and any other statute  
25 now or hereafter adopted which gives corporate or business licensing  
26 responsibilities to the secretary of state; ~~((or))~~

27 (c) The person has not submitted the sum of all fees and deposits  
28 required for the requested individual license endorsements, any  
29 outstanding master license delinquency fee, or other fees and penalties  
30 to be collected through the system; or

31 (d) 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 2 of this act, or is certified by a court  
34 as a person who is not in compliance with a residential or visitation  
35 order as provided in section 107 of this act may be issued a license or  
36 certificate under this chapter. The application of a person so  
37 certified by the department of social and health services or by a court  
38 may be reviewed for issuance of a license or certificate under this

1 chapter after the person provides the department with a written release  
2 issued by the department of social and health services or a court  
3 stating that the person is in compliance with the order.

4 (2) Nothing in this section shall prevent registration by the state  
5 of an employer for the purpose of paying an employee of that employer  
6 industrial insurance or unemployment insurance benefits.

7 (3) The department shall immediately suspend the license or  
8 certificate of a person who either (a) has been certified pursuant to  
9 section 2 of this act by the department of social and health services  
10 as a person who is not in compliance with a support order, or (b) has  
11 been certified pursuant to section 107 of this act by a court as a  
12 person who is not in compliance with a residential or visitation order.  
13 If the person has continued to meet all other requirements for  
14 reinstatement during the suspension, reissuance of the license or  
15 certificate shall be automatic upon the department's receipt of a  
16 written release issued by the department of social and health services  
17 or a court stating that the licensee is in compliance with the order.

18 **Sec. 89.** RCW 43.24.080 and 1979 c 158 s 99 are each amended to  
19 read as follows:

20 Except as provided in section 92 of this act, at the close of each  
21 examination the department of licensing shall prepare the proper  
22 licenses, where no further fee is required to be paid, and issue  
23 licenses to the successful applicants signed by the director and notify  
24 all successful applicants, where a further fee is required, of the fact  
25 that they are entitled to receive such license upon the payment of such  
26 further fee to the department of licensing and notify all applicants  
27 who have failed to pass the examination of that fact.

28 **Sec. 90.** RCW 43.24.110 and 1986 c 259 s 149 are each amended to  
29 read as follows:

30 Except as provided in section 92 of this act, whenever there is  
31 filed in a matter under the jurisdiction of the director of licensing  
32 any complaint charging that the holder of a license has been guilty of  
33 any act or omission which by the provisions of the law under which the  
34 license was issued would warrant the revocation thereof, verified in  
35 the manner provided by law, the director of licensing shall request the  
36 governor to appoint, and the governor shall appoint within thirty days  
37 of the request, two qualified practitioners of the profession or

1 calling of the person charged, who, with the director or his duly  
2 appointed representative, shall constitute a committee to hear and  
3 determine the charges and, in case the charges are sustained, impose  
4 the penalty provided by law. In addition, the governor shall appoint  
5 a consumer member of the committee.

6 The decision of any three members of such committee shall be the  
7 decision of the committee.

8 The appointed members of the committee shall be compensated in  
9 accordance with RCW 43.03.240 and shall be reimbursed for their travel  
10 expenses, in accordance with RCW 43.03.050 and 43.03.060.

11 **Sec. 91.** RCW 43.24.120 and 1987 c 202 s 212 are each amended to  
12 read as follows:

13 Except as provided in section 92 of this act, any person feeling  
14 aggrieved by the refusal of the director to issue a license, or to  
15 renew one, or by the revocation or suspension of a license shall have  
16 a right of appeal to superior court from the decision of the director  
17 of licensing, which shall be taken, prosecuted, heard, and determined  
18 in the manner provided in chapter 34.05 RCW.

19 The decision of the superior court may be reviewed by the supreme  
20 court or the court of appeals in the same manner as other civil cases.

21 NEW SECTION. **Sec. 92.** A new section is added to chapter 43.24 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 2 of this act, or is certified by a court  
26 as a person who is not in compliance with a residential or visitation  
27 order as provided in section 107 of this act may be issued a license by  
28 the department of licensing. The application of a person so certified  
29 by the department of social and health services or by a court may be  
30 reviewed for issuance of registration under this chapter after the  
31 person provides the department with a written release issued by the  
32 department of social and health services or a court stating that the  
33 person is in compliance with the order.

34 (2) The department shall immediately suspend any license issued by  
35 the department of licensing of a person who either (a) has been  
36 certified pursuant to section 2 of this act by the department of social  
37 and health services as a person who is not in compliance with a support

1 order, or (b) has been certified pursuant to section 107 of this act by  
2 a court as a person who is not in compliance with a residential or  
3 visitation order. If the person has continued to meet all other  
4 requirements for reinstatement during the suspension, reissuance of the  
5 license shall be automatic upon the department's receipt of a written  
6 release issued by the department of social and health services or a  
7 court stating that the licensee is in compliance with the order.

8 **Sec. 93.** RCW 70.74.110 and 1988 c 198 s 5 are each amended to read  
9 as follows:

10 All persons engaged in the manufacture of explosives, or any  
11 process involving explosives, or where explosives are used as a  
12 component part in the manufacture of any article or device, on (~~the~~  
13 ~~date when this 1969 amendatory act takes effect~~) August 11, 1969,  
14 shall within sixty days thereafter, and all persons engaging in the  
15 manufacture of explosives, or any process involving explosives, or  
16 where explosives are used as a component part in the manufacture of any  
17 article or device after (~~this act takes effect~~) August 11, 1969,  
18 shall, before so engaging, make an application in writing, subscribed  
19 to by such person or his agent, to the department of labor and  
20 industries, the application stating:

- 21 (1) Location of place of manufacture or processing;
- 22 (2) Kind of explosives manufactured, processed or used;
- 23 (3) The distance that such explosives manufacturing building is  
24 located or intended to be located from the other factory buildings,  
25 magazines, inhabited buildings, railroads and highways and public  
26 utility transmission systems;
- 27 (4) The name and address of the applicant;
- 28 (5) The reason for desiring to manufacture explosives;
- 29 (6) The applicant's citizenship, if the applicant is an individual;
- 30 (7) If the applicant is a partnership, the names and addresses of  
31 the partners, and their citizenship;
- 32 (8) If the applicant is an association or corporation, the names  
33 and addresses of the officers and directors thereof, and their  
34 citizenship; and
- 35 (9) Such other pertinent information as the director of labor and  
36 industries shall require to effectuate the purpose of this chapter.

37 There shall be kept in the main office on the premises of each  
38 explosives manufacturing plant a plan of said plant showing the

1 location of all explosives manufacturing buildings and the distance  
2 they are located from other factory buildings where persons are  
3 employed and from magazines, and these plans shall at all times be open  
4 to inspection by duly authorized inspectors of the department of labor  
5 and industries. The superintendent of each plant shall upon demand of  
6 said inspector furnish the following information:

7 (a) The maximum amount and kind of explosive material which is or  
8 will be present in each building at one time.

9 (b) The nature and kind of work carried on in each building and  
10 whether or not said buildings are surrounded by natural or artificial  
11 barricades.

12 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the  
13 department of labor and industries shall as soon as possible after  
14 receiving such application cause an inspection to be made of the  
15 explosives manufacturing plant, and if found to be in accordance with  
16 RCW 70.74.030 and 70.74.050 and 70.74.061, such department shall issue  
17 a license to the person applying therefor showing compliance with the  
18 provisions of this chapter if the applicant demonstrates that either  
19 the applicant or the officers, agents or employees of the applicant are  
20 sufficiently experienced in the manufacture of explosives and the  
21 applicant meets the qualifications for a license under RCW 70.74.360.  
22 Such license shall continue in full force and effect until expired,  
23 suspended, or revoked by the department pursuant to this chapter.

24 **Sec. 94.** RCW 70.74.130 and 1988 c 198 s 7 are each amended to read  
25 as follows:

26 Every person desiring to engage in the business of dealing in  
27 explosives shall apply to the department of labor and industries for a  
28 license therefor. Said application shall state, among other things:

29 (1) The name and address of applicant;

30 (2) The reason for desiring to engage in the business of dealing in  
31 explosives;

32 (3) Citizenship, if an individual applicant;

33 (4) If a partnership, the names and addresses of the partners and  
34 their citizenship;

35 (5) If an association or corporation, the names and addresses of  
36 the officers and directors thereof and their citizenship; and

37 (6) Such other pertinent information as the director of labor and  
38 industries shall require to effectuate the purpose of this chapter.



1        Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the  
2 department of labor and industries shall issue the license if the  
3 applicant demonstrates that either the applicant or the principal  
4 officers, agents, or employees of the applicant are experienced in the  
5 business of dealing in explosives, possess suitable facilities  
6 therefor, have not been convicted of any crime that would warrant  
7 revocation or nonrenewal of a license under this chapter, and have  
8 never had an explosives-related license revoked under this chapter or  
9 under similar provisions of any other state.

10        **Sec. 95.** RCW 70.74.135 and 1988 c 198 s 8 are each amended to read  
11 as follows:

12        All persons desiring to purchase explosives except handloader  
13 components shall apply to the department of labor and industries for a  
14 license. Said application shall state, among other things:

- 15        (1) The location where explosives are to be used;
- 16        (2) The kind and amount of explosives to be used;
- 17        (3) The name and address of the applicant;
- 18        (4) The reason for desiring to use explosives;
- 19        (5) The citizenship of the applicant if the applicant is an  
20 individual;
- 21        (6) If the applicant is a partnership, the names and addresses of  
22 the partners and their citizenship;
- 23        (7) If the applicant is an association or corporation, the names  
24 and addresses of the officers and directors thereof and their  
25 citizenship; and
- 26        (8) Such other pertinent information as the director of the  
27 department of labor and industries shall require to effectuate the  
28 purpose of this chapter.

29        The department of labor and industries shall issue the license if  
30 the applicant demonstrates that either the applicant or the officers,  
31 agents or employees of the applicant are sufficiently experienced in  
32 the use of explosives to authorize a purchase license. However, no  
33 purchaser's license may be issued to any person who cannot document  
34 proof of possession or right to use approved and licensed storage  
35 facilities unless the person signs a statement certifying that  
36 explosives will not be stored. No person who has been certified by the  
37 department of social and health services as a person who is not in  
38 compliance with a support order as provided in section 2 of this act,

1 or is certified by a court as a person who is not in compliance with a  
2 residential or visitation order as provided in section 107 of this act  
3 may be issued a license or certificate under this chapter. The  
4 application of a person so certified by the department of social and  
5 health services or by a court may be reviewed for issuance of a license  
6 or certificate under this chapter after the person provides the  
7 department with a written release issued by the department of social  
8 and health services or a court stating that the person is in compliance  
9 with the order.

10 **Sec. 96.** RCW 70.74.360 and 1988 c 198 s 3 are each amended to read  
11 as follows:

12 (1) The director of labor and industries shall require, as a  
13 condition precedent to the original issuance or renewal of any  
14 explosive license, fingerprinting and criminal history record  
15 information checks of every applicant. In the case of a corporation,  
16 fingerprinting and criminal history record information checks shall be  
17 required for the management officials directly responsible for the  
18 operations where explosives are used if such persons have not  
19 previously had their fingerprints recorded with the department of labor  
20 and industries. In the case of a partnership, fingerprinting and  
21 criminal history record information checks shall required of all  
22 general partners. Such fingerprints as are required by the department  
23 of labor and industries shall be submitted on forms provided by the  
24 department to the identification section of the Washington state patrol  
25 and to the identification division of the federal bureau of  
26 investigation in order that these agencies may search their records for  
27 prior convictions of the individuals fingerprinted. The Washington  
28 state patrol shall provide to the director of labor and industries such  
29 criminal record information as the director may request. The applicant  
30 shall give full cooperation to the department of labor and industries  
31 and shall assist the department of labor and industries in all aspects  
32 of the fingerprinting and criminal history record information check.  
33 The applicant may be required to pay a fee not to exceed twenty dollars  
34 to the agency that performs the fingerprinting and criminal history  
35 process.

36 (2) The director of labor and industries shall not issue a license  
37 to manufacture, purchase, store, use, or deal with explosives to:

38 (a) Any person under twenty-one years of age;

1 (b) Any person whose license is suspended or whose license has been  
2 revoked, except as provided in RCW 70.74.370;

3 (c) Any person who has been convicted in this state or elsewhere of  
4 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,  
5 or bomb threats or a crime involving a schedule I or II controlled  
6 substance, or any other drug or alcohol related offense, unless such  
7 other drug or alcohol related offense does not reflect a drug or  
8 alcohol dependency. However, the director of labor and industries may  
9 issue a license if the person suffering a drug or alcohol related  
10 dependency is participating in or has completed an alcohol or drug  
11 recovery program acceptable to the department of labor and industries  
12 and has established control of their alcohol or drug dependency. The  
13 director of labor and industries shall require the applicant to provide  
14 proof of such participation and control; ((or))

15 (d) Any person who has previously been adjudged to be mentally ill  
16 or insane, or to be incompetent due to any mental disability or disease  
17 and who has not at the time of application been restored to competency  
18 i or

19 (e) Any person who has been certified by the department of social  
20 and health services as a person who is not in compliance with a support  
21 order as provided in section 2 of this act, or is certified by a court  
22 as a person who is not in compliance with a residential or visitation  
23 order as provided in section 107 of this act. The application of a  
24 person so certified by the department of social and health services or  
25 by a court may be reviewed for issuance of a license or certificate  
26 under this chapter after the person provides the director of labor and  
27 industries with a written release issued by the department of social  
28 and health services or a court stating that the person is in compliance  
29 with the order.

30 (3) The director of labor and industries may establish reasonable  
31 licensing fees for the manufacture, dealing, purchase, use, and storage  
32 of explosives.

33 **Sec. 97.** RCW 70.74.370 and 1988 c 198 s 4 are each amended to read  
34 as follows:

35 (1) The department of labor and industries shall revoke and not  
36 renew the license of any person holding a manufacturer, dealer,  
37 purchaser, user, or storage license upon conviction of any of the  
38 following offenses, which conviction has become final:

1 (a) A violent offense as defined in RCW 9.94A.030;

2 (b) A crime involving perjury or false swearing, including the  
3 making of a false affidavit or statement under oath to the department  
4 of labor and industries in an application or report made pursuant to  
5 this title;

6 (c) A crime involving bomb threats;

7 (d) A crime involving a schedule I or II controlled substance, or  
8 any other drug or alcohol related offense, unless such other drug or  
9 alcohol related offense does not reflect a drug or alcohol dependency.  
10 However, the department of labor and industries may condition renewal  
11 of the license to any convicted person suffering a drug or alcohol  
12 dependency who is participating in an alcoholism or drug recovery  
13 program acceptable to the department of labor and industries and has  
14 established control of their alcohol or drug dependency. The  
15 department of labor and industries shall require the licensee to  
16 provide proof of such participation and control;

17 (e) A crime relating to possession, use, transfer, or sale of  
18 explosives under this chapter or any other chapter of the Revised Code  
19 of Washington.

20 (2) The department of labor and industries shall revoke the license  
21 of any person adjudged to be mentally ill or insane, or to be  
22 incompetent due to any mental disability or disease. The director  
23 shall not renew the license until the person has been restored to  
24 competency.

25 (3) The department of labor and industries is authorized to  
26 suspend, for a period of time not to exceed six months, the license of  
27 any person who has violated this chapter or the rules promulgated  
28 pursuant to this chapter.

29 (4) The department of labor and industries may revoke the license  
30 of any person who has repeatedly violated this chapter or the rules  
31 promulgated pursuant to this chapter, or who has twice had his or her  
32 license suspended under this chapter.

33 (5) The department of labor and industries shall immediately  
34 suspend the license or certificate of a person who either (a) has been  
35 certified pursuant to section 2 of this act by the department of social  
36 and health services as a person who is not in compliance with a support  
37 order, or (b) has been certified pursuant to section 107 of this act by  
38 a court as a person who is not in compliance with a residential or  
39 visitation order. If the person has continued to meet all other

1 requirements for reinstatement during the suspension, reissuance of the  
2 license or certificate shall be automatic upon the department of labor  
3 and industries' receipt of a written release issued by the department  
4 of social and health services or a court stating that the licensee is  
5 in compliance with the order.

6 (6) Upon receipt of notification by the department of labor and  
7 industries of revocation or suspension, a licensee must surrender  
8 immediately to the department any or all such licenses revoked or  
9 suspended.

10 **Sec. 98.** RCW 66.24.010 and 1995 c 232 s 1 are each amended to read  
11 as follows:

12 (1) Every license shall be issued in the name of the applicant, and  
13 the holder thereof shall not allow any other person to use the license.

14 (2) For the purpose of considering any application for a license,  
15 the board may cause an inspection of the premises to be made, and may  
16 inquire into all matters in connection with the construction and  
17 operation of the premises. For the purpose of reviewing any  
18 application for a license and for considering the denial, suspension or  
19 revocation of any license, the liquor control board may consider any  
20 prior criminal conduct of the applicant and the provisions of RCW  
21 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The  
22 board may, in its discretion, grant or refuse the license applied for.  
23 Authority to approve an uncontested or unopposed license may be granted  
24 by the board to any staff member the board designates in writing.  
25 Conditions for granting such authority shall be adopted by rule. No  
26 retail license of any kind may be issued to:

27 (a) A person who has not resided in the state for at least one  
28 month prior to making application, except in cases of licenses issued  
29 to dining places on railroads, boats, or aircraft;

30 (b) A copartnership, unless all of the members thereof are  
31 qualified to obtain a license, as provided in this section;

32 (c) A person whose place of business is conducted by a manager or  
33 agent, unless such manager or agent possesses the same qualifications  
34 required of the licensee;

35 (d) A corporation, unless it was created under the laws of the  
36 state of Washington or holds a certificate of authority to transact  
37 business in the state of Washington; or

1       (e) Any person who has been certified by the department of social  
2 and health services as a person who is not in compliance with a support  
3 order as provided in section 2 of this act, or is certified by a court  
4 as a person who is not in compliance with a residential or visitation  
5 order as provided in section 107 of this act. The application of a  
6 person so certified by the department of social and health services or  
7 by a court may be reviewed for issuance of a license or certificate  
8 under this chapter after the person provides the board with a written  
9 release issued by the department of social and health services or a  
10 court stating that the person is in compliance with the order.

11       (3)(a) The board may, in its discretion, subject to the provisions  
12 of RCW 66.08.150, suspend or cancel any license; and all rights of the  
13 licensee to keep or sell liquor thereunder shall be suspended or  
14 terminated, as the case may be.

15       (b) The board shall immediately suspend the license or certificate  
16 of a person who either (i) has been certified pursuant to section 2 of  
17 this act by the department of social and health services as a person  
18 who is not in compliance with a support order, or (ii) has been  
19 certified pursuant to section 107 of this act by a court as a person  
20 who is not in compliance with a residential or visitation order. If  
21 the person has continued to meet all other requirements for  
22 reinstatement during the suspension, reissuance of the license or  
23 certificate shall be automatic upon the board's receipt of a written  
24 release issued by the department of social and health services or a  
25 court stating that the licensee is in compliance with the order.

26       (c) The board may request the appointment of administrative law  
27 judges under chapter 34.12 RCW who shall have power to administer  
28 oaths, issue subpoenas for the attendance of witnesses and the  
29 production of papers, books, accounts, documents, and testimony,  
30 examine witnesses, and to receive testimony in any inquiry,  
31 investigation, hearing, or proceeding in any part of the state, under  
32 such rules and regulations as the board may adopt.

33       (d) Witnesses shall be allowed fees and mileage each way to and  
34 from any such inquiry, investigation, hearing, or proceeding at the  
35 rate authorized by RCW 34.05.446, as now or hereafter amended. Fees  
36 need not be paid in advance of appearance of witnesses to testify or to  
37 produce books, records, or other legal evidence.

38       (e) In case of disobedience of any person to comply with the order  
39 of the board or a subpoena issued by the board, or any of its members,

1 or administrative law judges, or on the refusal of a witness to testify  
2 to any matter regarding which he or she may be lawfully interrogated,  
3 the judge of the superior court of the county in which the person  
4 resides, on application of any member of the board or administrative  
5 law judge, shall compel obedience by contempt proceedings, as in the  
6 case of disobedience of the requirements of a subpoena issued from said  
7 court or a refusal to testify therein.

8 (4) Upon receipt of notice of the suspension or cancellation of a  
9 license, the licensee shall forthwith deliver up the license to the  
10 board. Where the license has been suspended only, the board shall  
11 return the license to the licensee at the expiration or termination of  
12 the period of suspension. The board shall notify all vendors in the  
13 city or place where the licensee has its premises of the suspension or  
14 cancellation of the license; and no employee may allow or cause any  
15 liquor to be delivered to or for any person at the premises of that  
16 licensee.

17 (5)(a) At the time of the original issuance of a class H license,  
18 the board shall prorate the license fee charged to the new licensee  
19 according to the number of calendar quarters, or portion thereof,  
20 remaining until the first renewal of that license is required.

21 (b) Unless sooner canceled, every license issued by the board shall  
22 expire at midnight of the thirtieth day of June of the fiscal year for  
23 which it was issued. However, if the board deems it feasible and  
24 desirable to do so, it may establish, by rule pursuant to chapter 34.05  
25 RCW, a system for staggering the annual renewal dates for any and all  
26 licenses authorized by this chapter. If such a system of staggered  
27 annual renewal dates is established by the board, the license fees  
28 provided by this chapter shall be appropriately prorated during the  
29 first year that the system is in effect.

30 (6) Every license issued under this section shall be subject to all  
31 conditions and restrictions imposed by this title or by the regulations  
32 in force from time to time. All conditions and restrictions imposed by  
33 the board in the issuance of an individual license shall be listed on  
34 the face of the individual license along with the trade name, address,  
35 and expiration date.

36 (7) Every licensee shall post and keep posted its license, or  
37 licenses, in a conspicuous place on the premises.

38 (8) Before the board shall issue a license to an applicant it shall  
39 give notice of such application to the chief executive officer of the

1 incorporated city or town, if the application be for a license within  
2 an incorporated city or town, or to the county legislative authority,  
3 if the application be for a license outside the boundaries of  
4 incorporated cities or towns; and such incorporated city or town,  
5 through the official or employee selected by it, or the county  
6 legislative authority or the official or employee selected by it, shall  
7 have the right to file with the board within twenty days after date of  
8 transmittal of such notice, written objections against the applicant or  
9 against the premises for which the license is asked, and shall include  
10 with such objections a statement of all facts upon which such  
11 objections are based, and in case written objections are filed, may  
12 request and the liquor control board may in its discretion hold a  
13 formal hearing subject to the applicable provisions of Title 34 RCW.  
14 Upon the granting of a license under this title the board shall send a  
15 duplicate of the license or written notification to the chief executive  
16 officer of the incorporated city or town in which the license is  
17 granted, or to the county legislative authority if the license is  
18 granted outside the boundaries of incorporated cities or towns.

19 (9) Before the board issues any license to any applicant, it shall  
20 give (a) due consideration to the location of the business to be  
21 conducted under such license with respect to the proximity of churches,  
22 schools, and public institutions and (b) written notice by certified  
23 mail of the application to churches, schools, and public institutions  
24 within five hundred feet of the premises to be licensed. The board  
25 shall issue no beer retailer license class A, B, D, or E or wine  
26 retailer license class C or F or class H license covering any premises  
27 not now licensed, if such premises are within five hundred feet of the  
28 premises of any tax-supported public elementary or secondary school  
29 measured along the most direct route over or across established public  
30 walks, streets, or other public passageway from the outer property line  
31 of the school grounds to the nearest public entrance of the premises  
32 proposed for license, and if, after receipt by the school or public  
33 institution of the notice as provided in this subsection, the board  
34 receives written notice, within twenty days after posting such notice,  
35 from an official representative or representatives of the school within  
36 five hundred feet of said proposed licensed premises, indicating to the  
37 board that there is an objection to the issuance of such license  
38 because of proximity to a school. For the purpose of this section,  
39 church shall mean a building erected for and used exclusively for



1 religious worship and schooling or other activity in connection  
2 therewith. No liquor license may be issued or reissued by the board to  
3 any motor sports facility or licensee operating within the motor sports  
4 facility unless the motor sports facility enforces a program reasonably  
5 calculated to prevent alcohol or alcoholic beverages not purchased  
6 within the facility from entering the facility and such program is  
7 approved by local law enforcement agencies. It is the intent under  
8 this subsection that a retail license shall not be issued by the board  
9 where doing so would, in the judgment of the board, adversely affect a  
10 private school meeting the requirements for private schools under Title  
11 28A RCW, which school is within five hundred feet of the proposed  
12 licensee. The board shall fully consider and give substantial weight  
13 to objections filed by private schools. If a license is issued despite  
14 the proximity of a private school, the board shall state in a letter  
15 addressed to the private school the board's reasons for issuing the  
16 license.

17 (10) The restrictions set forth in subsection (9) of this section  
18 shall not prohibit the board from authorizing the assumption of  
19 existing licenses now located within the restricted area by other  
20 persons or licenses or relocations of existing licensed premises within  
21 the restricted area. In no case may the licensed premises be moved  
22 closer to a church or school than it was before the assumption or  
23 relocation.

24 (11) Nothing in this section prohibits the board, in its  
25 discretion, from issuing a temporary retail or wholesaler license to an  
26 applicant assuming an existing retail or wholesaler license to continue  
27 the operation of the retail or wholesaler premises during the period  
28 the application for the license is pending and when the following  
29 conditions exist:

30 (a) The licensed premises has been operated under a retail or  
31 wholesaler license within ninety days of the date of filing the  
32 application for a temporary license;

33 (b) The retail or wholesaler license for the premises has been  
34 surrendered pursuant to issuance of a temporary operating license;

35 (c) The applicant for the temporary license has filed with the  
36 board an application to assume the retail or wholesaler license at such  
37 premises to himself or herself; and

38 (d) The application for a temporary license is accompanied by a  
39 temporary license fee established by the board by rule.

1 A temporary license issued by the board under this section shall be  
2 for a period not to exceed sixty days. A temporary license may be  
3 extended at the discretion of the board for an additional sixty-day  
4 period upon payment of an additional fee and upon compliance with all  
5 conditions required in this section.

6 Refusal by the board to issue or extend a temporary license shall  
7 not entitle the applicant to request a hearing. A temporary license  
8 may be canceled or suspended summarily at any time if the board  
9 determines that good cause for cancellation or suspension exists. RCW  
10 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

11 Application for a temporary license shall be on such form as the  
12 board shall prescribe. If an application for a temporary license is  
13 withdrawn before issuance or is refused by the board, the fee which  
14 accompanied such application shall be refunded in full.

15 **Sec. 99.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to  
16 read as follows:

17 (1) The department shall issue a certificate of manufactured home  
18 installation to an applicant who has taken the training course, passed  
19 the examination, paid the fees, and in all other respects (~~meet[s]~~)  
20 meets the qualifications. The certificate shall bear the date of  
21 issuance, a certification identification number, and is renewable every  
22 three years upon application and completion of a continuing education  
23 program as determined by the department. A renewal fee shall be  
24 assessed for each certificate. If a person fails to renew a  
25 certificate by the renewal date, the person must retake the examination  
26 and pay the examination fee.

27 (2) The certificate of manufactured home installation provided for  
28 in this chapter grants the holder the right to engage in manufactured  
29 home installation throughout the state, without any other installer  
30 certification.

31 (3) 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 2 of this act, or is certified by a court  
34 as a person who is not in compliance with a residential or visitation  
35 order as provided in section 107 of this act may be issued a license or  
36 certificate under this chapter. The application of a person so  
37 certified by the department of social and health services or by a court  
38 may be reviewed for issuance of a license or certificate under this

1 chapter after the person provides the department with a written release  
2 issued by the department of social and health services or a court  
3 stating that the person is in compliance with the order.

4 (4) The department shall immediately suspend the license or  
5 certificate of a person who either (a) has been certified pursuant to  
6 section 2 of this act by the department of social and health services  
7 as a person who is not in compliance with a support order, or (b) has  
8 been certified pursuant to section 107 of this act by a court as a  
9 person who is not in compliance with a residential or visitation order.  
10 If the person has continued to meet all other requirements for  
11 reinstatement during the suspension, reissuance of the license or  
12 certificate shall be automatic upon the department's receipt of a  
13 written release issued by the department of social and health services  
14 or a court stating that the licensee is in compliance with the order.

15 **Sec. 100.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to  
16 read as follows:

17 (1) The department shall establish a process to certify incinerator  
18 and landfill operators. To the greatest extent possible, the  
19 department shall rely on the certification standards and procedures  
20 developed by national organizations and the federal government.

21 (2) Operators shall be certified if they:

22 (a) Attend the required training sessions;

23 (b) Successfully complete required examinations; and

24 (c) Pay the prescribed fee.

25 (3) By January 1, 1991, the department shall adopt rules to require  
26 incinerator and appropriate landfill operators to:

27 (a) Attend a training session concerning the operation of the  
28 relevant type of landfill or incinerator;

29 (b) Demonstrate sufficient skill and competency for proper  
30 operation of the incinerator or landfill by successfully completing an  
31 examination prepared by the department; and

32 (c) Renew the certificate of competency at reasonable intervals  
33 established by the department.

34 (4) The department shall provide for the collection of fees for the  
35 issuance and renewal of certificates. These fees shall be sufficient  
36 to recover the costs of the certification program.

37 (5) The department shall establish an appeals process for the  
38 denial or revocation of a certificate.

1 (6) The department shall establish a process to automatically  
2 certify operators who have received comparable certification from  
3 another state, the federal government, a local government, or a  
4 professional association.

5 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or  
6 operator of an incinerator or landfill may apply to the department for  
7 interim certification. Operators shall receive interim certification  
8 if they:

9 (a) Have received training provided by a recognized national  
10 organization, educational institution, or the federal government that  
11 is acceptable to the department; or

12 (b) Have received individualized training in a manner approved by  
13 the department; and

14 (c) Have successfully completed any required examinations.

15 (8) No interim certification shall be valid after January 1, 1992,  
16 and interim certification shall not automatically qualify operators for  
17 certification pursuant to subsections (2) through (4) of this section.

18 (9) No person who has been certified by the department of social  
19 and health services as a person who is not in compliance with a support  
20 order as provided in section 2 of this act, or is certified by a court  
21 as a person who is not in compliance with a residential or visitation  
22 order as provided in section 107 of this act may be issued a license or  
23 certificate under this chapter. The application of a person so  
24 certified by the department of social and health services or by a court  
25 may be reviewed for issuance of a license or certificate under this  
26 chapter after the person provides the department with a written release  
27 issued by the department of social and health services or a court  
28 stating that the person is in compliance with the order.

29 (10) The department shall immediately suspend the license or  
30 certificate of a person who either (a) has been certified pursuant to  
31 section 2 of this act by the department of social and health services  
32 as a person who is not in compliance with a support order, or (b) has  
33 been certified pursuant to section 107 of this act by a court as a  
34 person who is not in compliance with a residential or visitation order.  
35 If the person has continued to meet all other requirements for  
36 reinstatement during the suspension, reissuance of the license or  
37 certificate shall be automatic upon the department's receipt of a  
38 written release issued by the department of social and health services  
39 or a court stating that the licensee is in compliance with the order.

1        NEW SECTION.    **Sec. 101.**    A new section is added to chapter 70.95B  
2    RCW 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 2 of this act, or is certified by a court  
6    as a person who is not in compliance with a residential or visitation  
7    order as provided in section 107 of this act may be issued a license or  
8    certificate under this chapter.    The application of a person so  
9    certified by the department of social and health services or by a court  
10   may be reviewed for issuance of a license or certificate under this  
11   chapter after the person provides the department with a written release  
12   issued by the department of social and health services or a court  
13   stating that the person is in compliance with the order.

14        (2) The director shall immediately suspend the license or  
15   certificate of a person who either (a) has been certified pursuant to  
16   section 2 of this act by the department of social and health services  
17   as a person who is not in compliance with a support order, or (b) has  
18   been certified pursuant to section 107 of this act by a court as a  
19   person who is not in compliance with a residential or visitation order.  
20   If the person has continued to meet all other requirements for  
21   reinstatement during the suspension, reissuance of the license or  
22   certificate shall be automatic upon the director's receipt of a written  
23   release issued by the department of social and health services or a  
24   court stating that the licensee is in compliance with the order.

25        **Sec. 102.**    RCW 17.21.130 and 1994 c 283 s 15 are each amended to  
26   read as follows:

27        Any license, permit, or certification provided for in this chapter  
28   may be revoked or suspended, and any license, permit, or certification  
29   application may be denied by the director for cause.    If the director  
30   suspends a license under this chapter with respect to activity of a  
31   continuing nature under chapter 34.05 RCW, the director may elect to  
32   suspend the license for a subsequent license year during a period that  
33   coincides with the period commencing thirty days before and ending  
34   thirty days after the date of the incident or incidents giving rise to  
35   the violation.

36        The director shall immediately suspend the license or certificate  
37   of a person who either (1) has been certified pursuant to section 2 of  
38   this act by the department of social and health services as a person

1 who is not in compliance with a support order, or (2) has been  
2 certified pursuant to section 107 of this act by a court as a person  
3 who is not in compliance with a residential or visitation order. If  
4 the person has continued to meet all other requirements for  
5 reinstatement during the suspension, reissuance of the license or  
6 certificate shall be automatic upon the director's receipt of a written  
7 release issued by the department of social and health services or a  
8 court stating that the licensee is in compliance with the order.

9       **Sec. 103.** RCW 17.21.132 and 1994 c 283 s 16 are each amended to  
10 read as follows:

11       Any person applying for a license or certification authorized under  
12 the provisions of this chapter shall file an application on a form  
13 prescribed by the director.

14       (1) The application shall state the license or certification and  
15 the classification(s) for which the applicant is applying and the  
16 method in which the pesticides are to be applied.

17       (2) For all classes of licenses except private applicator, all  
18 applicants shall be at least eighteen years of age on the date that the  
19 application is made. Applicants for a private pesticide applicator  
20 license shall be at least sixteen years of age on the date that the  
21 application is made.

22       (3) Application for a license to apply pesticides shall be  
23 accompanied by the required fee. No license may be issued until the  
24 required license fee has been received by the department. License fees  
25 shall be prorated where necessary to accommodate staggering of  
26 expiration dates of a license or licenses.

27       (4) Each classification of license issued under this chapter shall  
28 expire annually on a date set by rule by the director. License  
29 expiration dates may be staggered for administrative purposes. Renewal  
30 applications shall be filed on or before the applicable expiration  
31 date.

32       No person who has been certified by the department of social and  
33 health services as a person who is not in compliance with a support  
34 order as provided in section 2 of this act, or is certified by a court  
35 as a person who is not in compliance with a residential or visitation  
36 order as provided in section 107 of this act may be issued a license or  
37 certificate under this chapter. The application of a person so  
38 certified by the department of social and health services or by a court

1 may be reviewed for issuance of a license or certificate under this  
2 chapter after the person provides the department with a written release  
3 issued by the department of social and health services or a court  
4 stating that the person is in compliance with the order.

5       **Sec. 104.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to  
6 read as follows:

7       (1) After January 1, 1991, a contractor may not perform  
8 decontamination, demolition, or disposal work unless issued a  
9 certificate by the state department of health. The department shall  
10 establish performance standards for contractors by rule in accordance  
11 with chapter 34.05 RCW, the administrative procedure act. The  
12 department shall train and test, or may approve courses to train and  
13 test, contractors and their employees on the essential elements in  
14 assessing property used as an illegal drug manufacturing or storage  
15 site to determine hazard reduction measures needed, techniques for  
16 adequately reducing contaminants, use of personal protective equipment,  
17 methods for proper demolition, removal, and disposal of contaminated  
18 property, and relevant federal and state regulations. Upon successful  
19 completion of the training, the contractor or employee shall be  
20 certified.

21       (2) The department may require the successful completion of annual  
22 refresher courses provided or approved by the department for the  
23 continued certification of the contractor or employee.

24       (3) The department shall provide for reciprocal certification of  
25 any individual trained to engage in decontamination, demolition, or  
26 disposal work in another state when the prior training is shown to be  
27 substantially similar to the training required by the department. The  
28 department may require such individuals to take an examination or  
29 refresher course before certification.

30       (4) The department may deny, suspend, or revoke a certificate for  
31 failure to comply with the requirements of this chapter or any rule  
32 adopted pursuant to this chapter. A certificate may be denied,  
33 suspended, or revoked on any of the following grounds:

34       (a) Failing to perform decontamination, demolition, or disposal  
35 work under the supervision of trained personnel;

36       (b) Failing to file a work plan;

37       (c) Failing to perform work pursuant to the work plan;

1 (d) Failing to perform work that meets the requirements of the  
2 department; ~~((e))~~

3 (e) The certificate was obtained by error, misrepresentation, or  
4 fraud; or

5 (f) If the person has either (i) been certified pursuant to section  
6 2 of this act by the department of social and health services as a  
7 person who is not in compliance with a support order, or (ii) has been  
8 certified pursuant to section 107 of this act by a court as a person  
9 who is not in compliance with a residential or visitation order. If  
10 the person has continued to meet all other requirements for  
11 reinstatement during the suspension, reissuance of the license or  
12 certificate shall be automatic upon the department's receipt of a  
13 written release issued by the department of social and health services  
14 or a court stating that the person is in compliance with the order.

15 (5) No person who has been certified by the department of social  
16 and health services as a person who is not in compliance with a support  
17 order as provided in section 2 of this act, or is certified by a court  
18 as a person who is not in compliance with a residential or visitation  
19 order as provided in section 107 of this act may be issued a license or  
20 certificate under this chapter. The application of a person so  
21 certified by the department of social and health services or by a court  
22 may be reviewed for issuance of a license or certificate under this  
23 chapter after the person provides the department with a written release  
24 issued by the department of social and health services or a court  
25 stating that the person is in compliance with the order.

26 (6) A contractor who violates any provision of this chapter may be  
27 assessed a fine not to exceed five hundred dollars for each violation.

28 ~~((+6))~~ (7) The department of health shall prescribe fees as  
29 provided for in RCW 43.70.250 for the issuance and renewal of  
30 certificates, the administration of examinations, and for the review of  
31 training courses.

32 ~~((+7))~~ (8) The decontamination account is hereby established in  
33 the state treasury. All fees collected under this chapter shall be  
34 deposited in this account. Moneys in the account may only be spent  
35 after appropriation for costs incurred by the department in the  
36 administration and enforcement of this chapter.

37 **Sec. 105.** RCW 19.146.210 and 1994 c 33 s 10 are each amended to  
38 read as follows:



1 (1) The director shall issue and deliver a mortgage broker license  
2 to an applicant if, after investigation, the director makes the  
3 following findings:

4 (a) The applicant has paid the required license fees;

5 (b) The applicant has complied with RCW 19.146.205;

6 (c) Neither the applicant nor any of its principals has had a  
7 license issued under this chapter or any similar state statute  
8 suspended or revoked within five years of the filing of the present  
9 application;

10 (d) Neither the applicant nor any of its principals has been  
11 convicted of a gross misdemeanor involving dishonesty or financial  
12 misconduct or a felony within seven years of the filing of the present  
13 application;

14 (e) Either the applicant or one of its principals, who may be  
15 designated by the applicant, (i) has at least two years of experience  
16 in the residential mortgage loan industry or has completed the  
17 educational requirements established by rule of the director and (ii)  
18 has passed a written examination whose content shall be established by  
19 rule of the director; and

20 (f) The applicant has demonstrated financial responsibility,  
21 character, and general fitness such as to command the confidence of the  
22 community and to warrant a belief that the business will be operated  
23 honestly, fairly, and efficiently within the purposes of this chapter.

24 (2) If the director does not find the conditions of subsection (1)  
25 of this section have been met, the director shall not issue the  
26 license. The director shall notify the applicant of the denial and  
27 return to the applicant the bond or approved alternative and any  
28 remaining portion of the license fee that exceeds the department's  
29 actual cost to investigate the license.

30 (3) No person who has been certified by the department of social  
31 and health services as a person who is not in compliance with a support  
32 order as provided in section 2 of this act, or is certified by a court  
33 as a person who is not in compliance with a residential or visitation  
34 order as provided in section 107 of this act may be issued a license or  
35 certificate under this chapter. The application of a person so  
36 certified by the department of social and health services or by a court  
37 may be reviewed for issuance of a license or certificate under this  
38 chapter after the person provides the department with a written release

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

3 (4) The director shall issue a license under this chapter to any  
4 licensee issued a license under chapter 468, Laws of 1993, that has a  
5 valid license and is otherwise in compliance with the provisions of  
6 this chapter.

7 ~~((4))~~ (5) A license issued pursuant to this chapter is valid from  
8 the date of issuance with no fixed date of expiration.

9 ~~((5))~~ (6) A licensee may surrender a license by delivering to the  
10 director written notice of surrender, but the surrender does not affect  
11 the licensee's civil or criminal liability arising from acts or  
12 omissions occurring before such surrender.

13 **Sec. 106.** RCW 19.146.220 and 1994 c 33 s 12 are each amended to  
14 read as follows:

15 (1) The director shall enforce all laws and rules relating to the  
16 licensing of mortgage brokers, grant or deny licenses to mortgage  
17 brokers, and hold hearings. The director may impose any one or more of  
18 the following sanctions:

19 (a) Suspend or revoke licenses, deny applications for licenses, or  
20 impose penalties upon violators of cease and desist orders issued under  
21 this chapter. The director may impose fines, as established by rule by  
22 the director, for violations of or failure to comply with any lawful  
23 directive, order, or requirement of the director. Each day's  
24 continuance of the violation or failure to comply is a separate and  
25 distinct violation or failure;

26 (b) Issue an order directing a licensee, its employee or loan  
27 originator, or other person subject to this chapter to cease and desist  
28 from conducting business in a manner that is injurious to the public or  
29 violates any provision of this chapter, or to pay restitution to an  
30 injured borrower; or

31 (c) Issue an order removing from office or prohibiting from  
32 participation in the conduct of the affairs of a licensed mortgage  
33 broker, or both, any officer, principal, employee, or loan originator,  
34 as the case may be, of any licensed mortgage broker.

35 (2) The director may take those actions specified in subsection (1)  
36 of this section if the director finds any of the following:

1 (a) The licensee has failed to pay a fee due the state of  
2 Washington under this chapter or, to maintain in effect the bond or  
3 approved alternative required under this chapter; or

4 (b) The licensee, employee or loan originator of the licensee, or  
5 person subject to the license requirements or prohibited practices of  
6 this chapter has failed to comply with any specific order or demand of  
7 the director lawfully made and directed to the licensee, employee, or  
8 loan originator of the licensee in accordance with this chapter; or

9 (c) The licensee, its employee or loan originator, or other person  
10 subject to this chapter has violated any provision of this chapter or  
11 a rule adopted under this chapter; or

12 (d) The licensee made false statements on the application or  
13 omitted material information that, if known, would have allowed the  
14 director to deny the application for the original license.

15 (3) The director shall establish by rule standards for licensure of  
16 applicants licensed in other jurisdictions. Every licensed mortgage  
17 broker that does not maintain a physical office within the state must  
18 maintain a registered agent within the state to receive service of any  
19 lawful process in any judicial or administrative noncriminal suit,  
20 action, or proceeding, against the licensed mortgage broker which  
21 arises under this chapter or any rule or order under this chapter, with  
22 the same force and validity as if served personally on the licensed  
23 mortgage broker. Service upon the registered agent shall be effective  
24 if the plaintiff, who may be the director in a suit, action, or  
25 proceeding instituted by him or her, sends notice of the service and a  
26 copy of the process by registered mail to the defendant or respondent  
27 at the last address of the respondent or defendant on file with the  
28 director. In any judicial action, suit, or proceeding arising under  
29 this chapter or any rule or order adopted under this chapter between  
30 the department or director and a licensed mortgage broker who does not  
31 maintain a physical office in this state, venue shall be exclusively in  
32 the superior court of Thurston county.

33 (4) The director shall immediately suspend the license or  
34 certificate of a person who either (a) has been certified pursuant to  
35 section 2 of this act by the department of social and health services  
36 as a person who is not in compliance with a support order, or (b) has  
37 been certified pursuant to section 107 of this act by a court as a  
38 person who is not in compliance with a residential or visitation order.  
39 If the person has continued to meet all other requirements for

1 reinstatement during the suspension, reissuance of the license or  
2 certificate shall be automatic upon the director's receipt of a written  
3 release issued by the department of social and health services or a  
4 court stating that the licensee is in compliance with the order.

5 NEW SECTION. **Sec. 107.** A new section is added to chapter 26.09  
6 RCW to read as follows:

7 (1) Unless the context clearly requires otherwise, the definitions  
8 in this section apply in this section.

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

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

17 (c) "Licensing entity" includes any department, board, commission,  
18 or other organization of the state authorized to issue, renew, suspend,  
19 or revoke a license authorizing an individual to engage in a business,  
20 occupation, profession, or industry, and the Washington state bar  
21 association.

22 (d) "Noncompliance with a residential or visitation order" means  
23 that a court has found the parent in contempt of court, under RCW  
24 26.09.160 for failure to comply with a residential provision of a  
25 court-ordered parenting plan on two occasions within three years.

26 (e) "Residential or visitation order" means the residential  
27 schedule or visitation schedule contained in a court-ordered parenting  
28 plan.

29 (2) If a court determines under RCW 26.09.160 that a parent is not  
30 in compliance with a provision of a residential or visitation order  
31 under RCW 26.09.160, the court shall enter an order directed to the  
32 appropriate licensing entity certifying that the parent is not in  
33 compliance with a residential or visitation order. The order shall  
34 contain the noncomplying parent's name, address, and social security  
35 number, and shall indicate whether the obligor is believed to be a  
36 licensee who has a license, is in the process of applying for a  
37 license, or may seek renewal of a license issued directly by the  
38 licensing entity or through a board affiliated with the licensing

1 entity. The court clerk shall forward the order to the licensing  
2 entity.

3 (3) The court shall set a review hearing date to determine whether  
4 the noncomplying parent becomes in compliance with the residential or  
5 visitation order. If the court determines at the review hearing that  
6 the parent is in compliance with the residential or visitation order,  
7 the court shall provide the parent with a written release stating that  
8 the parent is in compliance with the residential or visitation order.

9 (4) Upon receipt of the court order, the licensing entity shall  
10 refuse to issue or renew a license to the licensee or shall suspend the  
11 licensee's license until the licensee provides the licensing entity  
12 with a release from the court that states the licensee is in compliance  
13 with the residential or visitation order.

14 **Sec. 108.** RCW 26.09.160 and 1991 c 367 s 4 are each amended to  
15 read as follows:

16 (1) The performance of parental functions and the duty to provide  
17 child support are distinct responsibilities in the care of a child. If  
18 a party fails to comply with a provision of a decree or temporary order  
19 of injunction, the obligation of the other party to make payments for  
20 support or maintenance or to permit contact with children is not  
21 suspended. An attempt by a parent, in either the negotiation or the  
22 performance of a parenting plan, to condition one aspect of the  
23 parenting plan upon another, to condition payment of child support upon  
24 an aspect of the parenting plan, to refuse to pay ordered child  
25 support, to refuse to perform the duties provided in the parenting  
26 plan, or to hinder the performance by the other parent of duties  
27 provided in the parenting plan, shall be deemed bad faith and shall be  
28 punished by the court by holding the party in contempt of court and by  
29 awarding to the aggrieved party reasonable attorneys' fees and costs  
30 incidental in bringing a motion for contempt of court.

31 (2)(a) A motion may be filed to initiate a contempt action to  
32 coerce a parent to comply with an order establishing residential  
33 provisions for a child. If the court finds there is reasonable cause  
34 to believe the parent has not complied with the order, the court may  
35 issue an order to show cause why the relief requested should not be  
36 granted.

37 (b) If, based on all the facts and circumstances, the court finds  
38 after hearing that the parent, in bad faith, has not complied with the

1 order establishing residential provisions for the child, the court  
2 shall find the parent in contempt of court. Upon a finding of  
3 contempt, the court shall order:

4 (i) The noncomplying parent to provide the moving party additional  
5 time with the child. The additional time shall be equal to the time  
6 missed with the child, due to the parent's noncompliance;

7 (ii) The parent to pay, to the moving party, all court costs and  
8 reasonable attorneys' fees incurred as a result of the noncompliance,  
9 and any reasonable expenses incurred in locating or returning a child;  
10 and

11 (iii) The parent to pay, to the moving party, a civil penalty, not  
12 less than the sum of one hundred dollars.

13 The court may also order the parent to be imprisoned in the county  
14 jail, if the parent is presently able to comply with the provisions of  
15 the court-ordered parenting plan and is presently unwilling to comply.  
16 The parent may be imprisoned until he or she agrees to comply with the  
17 order, but in no event for more than one hundred eighty days.

18 (3) On a second failure within three years to comply with a  
19 residential provision of a court-ordered parenting plan, a motion may  
20 be filed to initiate contempt of court proceedings according to the  
21 procedure set forth in subsection (2) (a) and (b) of this section. On  
22 a finding of contempt under this subsection, the court shall (~~order~~):

23 (a) Order the noncomplying parent to provide the other parent or  
24 party additional time with the child. The additional time shall be  
25 twice the amount of the time missed with the child, due to the parent's  
26 noncompliance;

27 (b) Order the noncomplying parent to pay, to the other parent or  
28 party, all court costs and reasonable attorneys' fees incurred as a  
29 result of the noncompliance, and any reasonable expenses incurred in  
30 locating or returning a child; (~~and~~)

31 (c) Order the noncomplying parent to pay, to the moving party, a  
32 civil penalty of not less than two hundred fifty dollars; and

33 (d) Enter an order under section 107 of this act directed to the  
34 appropriate licensing entity certifying that the parent is not in  
35 compliance with the residential schedule or visitation schedule of a  
36 permanent parenting plan.

37 The court may also order the parent to be imprisoned in the county  
38 jail, if the parent is presently able to comply with the provisions of  
39 the court-ordered parenting plan and is presently unwilling to comply.

1 The parent may be imprisoned until he or she agrees to comply with the  
2 order but in no event for more than one hundred eighty days.

3 (4) For purposes of subsections (1), (2), and (3) of this section,  
4 the parent shall be deemed to have the present ability to comply with  
5 the order establishing residential provisions unless he or she  
6 establishes otherwise by a preponderance of the evidence. The parent  
7 shall establish a reasonable excuse for failure to comply with the  
8 residential provision of a court-ordered parenting plan by a  
9 preponderance of the evidence.

10 (5) Any monetary award ordered under subsections (1), (2), and (3)  
11 of this section may be enforced, by the party to whom it is awarded, in  
12 the same manner as a civil judgment.

13 (6) Subsections (1), (2), and (3) of this section authorize the  
14 exercise of the court's power to impose remedial sanctions for contempt  
15 of court and is in addition to any other contempt power the court may  
16 possess.

17 (7) Upon motion for contempt of court under subsections (1) through  
18 (3) of this section, if the court finds the motion was brought without  
19 reasonable basis, the court shall order the moving party to pay to the  
20 nonmoving party, all costs, reasonable attorneys' fees, and a civil  
21 penalty of not less than one hundred dollars.

22 **Sec. 109.** RCW 26.09.165 and 1994 c 162 s 2 are each amended to  
23 read as follows:

24 All court orders containing parenting plan provisions or orders of  
25 contempt, entered pursuant to RCW 26.09.160, shall include the  
26 following language:

27 WARNING: VIOLATION OF THE RESIDENTIAL PROVISIONS OF THIS ORDER  
28 WITH ACTUAL KNOWLEDGE OF ITS TERMS IS PUNISHABLE BY CONTEMPT OF  
29 COURT, MAY CAUSE THE VIOLATOR TO BE DENIED OR HAVE SUSPENDED OR  
30 NOT RENEWED A PROFESSIONAL, DRIVER'S, OR OTHER LICENSE, AND MAY  
31 BE A CRIMINAL OFFENSE UNDER RCW 9A.40.060(2) or 9A.40.070(2).  
32 VIOLATION OF THIS ORDER MAY SUBJECT A VIOLATOR TO ARREST.

33 **Sec. 110.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to  
34 read as follows:

35 (1) If the office of support enforcement is providing support  
36 enforcement services under RCW 26.23.045, or if a party is applying for  
37 support enforcement services by signing the application form on the

1 bottom of the support order, the superior court shall include in all  
2 court orders that establish or modify a support obligation:

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

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

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

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

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

17 (d) A statement that the responsible parent's privileges to obtain  
18 and maintain a license, as defined in section 2 of this act, may be  
19 denied, not renewed, or suspended if the parent is not in compliance  
20 with a support order as defined in section 2 of this act.

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

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

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

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

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



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

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

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

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

10 (i) Immediate income withholding may be ordered if the responsible  
11 parent has earnings. If immediate income withholding is ordered under  
12 this subsection, all support payments shall be paid to the Washington  
13 state support registry. The superior court shall issue a mandatory  
14 wage assignment order as set forth in chapter 26.18 RCW when the  
15 support order is signed by the court. The parent entitled to receive  
16 the transfer payment is responsible for serving the employer with the  
17 order and for its enforcement as set forth in chapter 26.18 RCW.

18 (ii) If immediate income withholding is not ordered, the court  
19 shall require that income withholding be delayed until a payment is  
20 past due. The support order shall contain a statement that a notice of  
21 payroll deduction may be issued, or other income-withholding action  
22 under chapter 26.18 or 74.20A RCW may be taken, without further notice  
23 to the responsible parent, after a payment is past due.

24 (c) If a mandatory wage withholding order under chapter 26.18 RCW  
25 is issued under this subsection and the office of support enforcement  
26 provides support enforcement services under RCW 26.23.045, the existing  
27 wage withholding assignment is prospectively superseded upon the office  
28 of support enforcement's subsequent service of an income withholding  
29 notice.

30 (3) The office of administrative hearings and the department of  
31 social and health services shall require that all support obligations  
32 established as administrative orders include a provision which orders  
33 and directs that the responsible parent shall make all support payments  
34 to the Washington state support registry. All administrative orders  
35 shall also state that the responsible parent's privileges to obtain and  
36 maintain a license, as defined in section 2 of this act, may be denied,  
37 not renewed, or suspended if the parent is not in compliance with a  
38 support order as defined in section 2 of this act. All administrative  
39 orders shall also state that a notice of payroll deduction may be

1 issued, or other income withholding action taken without further notice  
2 to the responsible parent at any time after entry of the order, unless:

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

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

8 (4) If the support order does not include the provision ordering  
9 and directing that all payments be made to the Washington state support  
10 registry and a statement that a notice of payroll deduction may be  
11 issued if a support payment is past due or at any time after the entry  
12 of the order, or that a parent's licensing privileges may be denied,  
13 not renewed, or suspended, the office of support enforcement may serve  
14 a notice on the responsible parent stating such requirements and  
15 authorizations. Service may be by personal service or any form of mail  
16 requiring a return receipt.

17 (5) Every support order shall state:

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

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

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

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

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

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

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

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

33 (g) The social security number and residence address of the  
34 physical custodian except as provided in subsection (6) of this  
35 section;

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

38 (i) In cases requiring payment to the Washington state support  
39 registry, that the parties are to notify the Washington state support

1 registry of any change in residence address. The responsible parent  
2 shall notify the registry of the name and address of his or her current  
3 employer, whether he or she has access to health insurance coverage at  
4 reasonable cost and, if so, the health insurance policy information;

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

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

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

17 (m) That the responsible parent's privileges to obtain and maintain  
18 a license, as defined in section 2 of this act, may be denied, not  
19 renewed, or suspended if the parent is not in compliance with a support  
20 order as defined in section 2 of this act.

21 (6) The physical custodian's address:

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

26 (b) A responsible parent may request the physical custodian's  
27 residence address by submission of a request for disclosure under RCW  
28 26.23.120 to the office of support enforcement.

29 (7) The superior court clerk, the office of administrative  
30 hearings, and the department of social and health services shall,  
31 within five days of entry, forward to the Washington state support  
32 registry, a true and correct copy of all superior court orders or  
33 administrative orders establishing or modifying a support obligation  
34 which provide that support payments shall be made to the support  
35 registry. If a superior court order entered prior to January 1, 1988,  
36 directs the responsible parent to make support payments to the clerk,  
37 the clerk shall send a true and correct copy of the support order and  
38 the payment record to the registry for enforcement action when the  
39 clerk identifies that a payment is more than fifteen days past due.

1 The office of support enforcement shall reimburse the clerk for the  
2 reasonable costs of copying and sending copies of court orders to the  
3 registry at the reimbursement rate provided in Title IV-D of the social  
4 security act.

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

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

21 **Sec. 111.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to  
22 read as follows:

23 The wage assignment order shall be substantially in the following  
24 form:

25 IN THE SUPERIOR COURT OF THE  
26 STATE OF WASHINGTON IN AND FOR THE  
27 COUNTY OF . . . . .  
28 . . . . . ,  
29 Obligee No. . . . .  
30 vs.  
31 . . . . . , WAGE ASSIGNMENT  
32 Obligor ORDER  
33 . . . . . ,  
34 Employer  
35 THE STATE OF WASHINGTON TO: . . . . .  
36 Employer

1 AND TO: . . . . .

2 Obligor

3 The above-named obligee claims that the above-named obligor is  
4 subject to a support order requiring immediate income withholding or is  
5 more than fifteen days past due in either child support or spousal  
6 maintenance payments, or both, in an amount equal to or greater than  
7 the child support or spousal maintenance payable for one month. The  
8 amount of the accrued child support or spousal maintenance debt as of  
9 this date is . . . . . dollars, the amount of arrearage payments  
10 specified in the support or spousal maintenance order (if applicable)  
11 is . . . . . dollars per . . . . ., and the amount of the current  
12 and continuing support or spousal maintenance obligation under the  
13 order is . . . . . dollars per . . . . .

14 You are hereby commanded to answer this order by filling in the  
15 attached form according to the instructions, and you must mail or  
16 deliver the original of the answer to the court, one copy to the  
17 Washington state support registry, one copy to the obligee or obligee's  
18 attorney, and one copy to the obligor within twenty days after service  
19 of this wage assignment order upon you.

20 If you possess any earnings or other remuneration for employment  
21 due and owing to the obligor, then you shall do as follows:

22 (1) Withhold from the obligor's earnings or remuneration each  
23 month, or from each regular earnings disbursement, the lesser of:

24 (a) The sum of the accrued support or spousal maintenance debt and  
25 the current support or spousal maintenance obligation;

26 (b) The sum of the specified arrearage payment amount and the  
27 current support or spousal maintenance obligation; or

28 (c) Fifty percent of the disposable earnings or remuneration of the  
29 obligor.

30 (2) The total amount withheld above is subject to the wage  
31 assignment order, and all other sums may be disbursed to the obligor.

32 (3) Upon receipt of this wage assignment order you shall make  
33 immediate deductions from the obligor's earnings or remuneration and  
34 remit to the Washington state support registry or other address  
35 specified below the proper amounts at each regular pay interval.

36 You shall continue to withhold the ordered amounts from nonexempt  
37 earnings or remuneration of the obligor until notified by:

38 (a) The court that the wage assignment has been modified or  
39 terminated; or

1 (b) The addressee specified in the wage assignment order under this  
2 section that the accrued child support or spousal maintenance debt has  
3 been paid.

4 You shall promptly notify the court and the addressee specified in  
5 the wage assignment order under this section if and when the employee  
6 is no longer employed by you, or if the obligor no longer receives  
7 earnings or remuneration from you. If you no longer employ the  
8 employee, the wage assignment order shall remain in effect for one year  
9 after the employee has left your employment or you are no longer in  
10 possession of any earnings or remuneration owed to the employee,  
11 whichever is later. You shall continue to hold the wage assignment  
12 order during that period. If the employee returns to your employment  
13 during the one-year period you shall immediately begin to withhold the  
14 employee's earnings according to the terms of the wage assignment  
15 order. If the employee has not returned to your employment within one  
16 year, the wage assignment will cease to have effect at the expiration  
17 of the one-year period, unless you still owe the employee earnings or  
18 other remuneration.

19 You shall deliver the withheld earnings or remuneration to the  
20 Washington state support registry or other address stated below at each  
21 regular pay interval.

22 You shall deliver a copy of this order to the obligor as soon as is  
23 reasonably possible. This wage assignment order has priority over any  
24 other wage assignment or garnishment, except for another wage  
25 assignment or garnishment for child support or spousal maintenance, or  
26 order to withhold or deliver under chapter 74.20A RCW.

27 WHETHER OR NOT YOU OWE ANYTHING TO THE OBLIGOR, YOUR FAILURE TO  
28 ANSWER AS REQUIRED MAY MAKE YOU LIABLE FOR OBLIGOR'S CLAIMED  
29 SUPPORT OR SPOUSAL MAINTENANCE DEBT TO THE OBLIGEE OR SUBJECT  
30 TO CONTEMPT OF COURT.

31 NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE  
32 SUPERIOR COURT THAT ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT  
33 THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER.  
34 REGARDLESS OF THE FACT THAT YOUR WAGES ARE BEING WITHHELD PURSUANT TO  
35 THIS ORDER, YOU MAY BE DENIED OR HAVE SUSPENDED OR NOT RENEWED A  
36 PROFESSIONAL, DRIVER'S, OR OTHER LICENSE IF YOU ACCRUE CHILD SUPPORT  
37 ARREARAGES TOTALING MORE THAN SIX MONTHS OF CHILD SUPPORT PAYMENTS OR

1 FAIL TO MAKE PAYMENTS TOWARDS A SUPPORT ARREARAGE IN AN AMOUNT THAT  
2 EXCEEDS SIX MONTHS OF PAYMENTS.

3 DATED THIS . . . . day of . . . ., 19. . .

4 . . . . .

5 Obligee, Judge/Court Commissioner

6 or obligee's attorney

7 Send withheld payments to: . . . . .

8 . . . . .

9 . . . . .

10 . . . . .

11 **Sec. 112.** RCW 26.23.060 and 1994 c 230 s 10 are each amended to  
12 read as follows:

13 (1) The office of support enforcement may issue a notice of payroll  
14 deduction:

15 (a) As authorized by a support order that contains the income  
16 withholding notice provisions in RCW 26.23.050 or a substantially  
17 similar notice; or

18 (b) After service of a notice containing an income withholding  
19 provision under this chapter or chapter 74.20A RCW.

20 (2) The office of support enforcement shall serve a notice of  
21 payroll deduction upon a responsible parent's employer or upon the  
22 employment security department for the state in possession of or owing  
23 any benefits from the unemployment compensation fund to the responsible  
24 parent pursuant to Title 50 RCW by personal service or by any form of  
25 mail requiring a return receipt.

26 (3) Service of a notice of payroll deduction upon an employer or  
27 employment security department requires the employer or employment  
28 security department to immediately make a mandatory payroll deduction  
29 from the responsible parent's unpaid disposable earnings or  
30 unemployment compensation benefits. The employer or employment  
31 security department shall thereafter deduct each pay period the amount  
32 stated in the notice divided by the number of pay periods per month.  
33 The payroll deduction each pay period shall not exceed fifty percent of  
34 the responsible parent's disposable earnings.

1 (4) A notice of payroll deduction for support shall have priority  
2 over any wage assignment, garnishment, attachment, or other legal  
3 process.

4 (5) The notice of payroll deduction shall be in writing and  
5 include:

6 (a) The name and social security number of the responsible parent;

7 (b) The amount to be deducted from the responsible parent's  
8 disposable earnings each month, or alternate amounts and frequencies as  
9 may be necessary to facilitate processing of the payroll deduction;

10 (c) A statement that the total amount withheld shall not exceed  
11 fifty percent of the responsible parent's disposable earnings; ((and))

12 (d) The address to which the payments are to be mailed or  
13 delivered; and

14 (e) A notice to the responsible parent warning the responsible  
15 parent that, despite the payroll deduction, the responsible parent's  
16 privileges to obtain and maintain a license, as defined in section 2 of  
17 this act, may be denied, not renewed, or suspended if the parent is not  
18 in compliance with a support order as defined in section 2 of this act.

19 (6) An informational copy of the notice of payroll deduction shall  
20 be mailed to the last known address of the responsible parent by  
21 regular mail.

22 (7) An employer or employment security department that receives a  
23 notice of payroll deduction shall make immediate deductions from the  
24 responsible parent's unpaid disposable earnings and remit proper  
25 amounts to the Washington state support registry on each date the  
26 responsible parent is due to be paid.

27 (8) An employer, or the employment security department, upon whom  
28 a notice of payroll deduction is served, shall make an answer to the  
29 office of support enforcement within twenty days after the date of  
30 service. The answer shall confirm compliance and institution of the  
31 payroll deduction or explain the circumstances if no payroll deduction  
32 is in effect. The answer shall also state whether the responsible  
33 parent is employed by or receives earnings from the employer or  
34 receives unemployment compensation benefits from the employment  
35 security department, whether the employer or employment security  
36 department anticipates paying earnings or unemployment compensation  
37 benefits and the amount of earnings. If the responsible parent is no  
38 longer employed, or receiving earnings from the employer, the answer  
39 shall state the present employer's name and address, if known. If the



1 responsible parent is no longer receiving unemployment compensation  
2 benefits from the employment security department, the answer shall  
3 state the present employer's name and address, if known.

4 (9) The employer or employment security department may deduct a  
5 processing fee from the remainder of the responsible parent's earnings  
6 after withholding under the notice of payroll deduction, even if the  
7 remainder is exempt under RCW 26.18.090. The processing fee may not  
8 exceed: (a) Ten dollars for the first disbursement made to the  
9 Washington state support registry; and (b) one dollar for each  
10 subsequent disbursement to the registry.

11 (10) The notice of payroll deduction shall remain in effect until  
12 released by the office of support enforcement, the court enters an  
13 order terminating the notice and approving an alternate arrangement  
14 under RCW 26.23.050(2), or one year has expired since the employer has  
15 employed the responsible parent or has been in possession of or owing  
16 any earnings to the responsible parent or the employment security  
17 department has been in possession of or owing any unemployment  
18 compensation benefits to the responsible parent."

19 **E2SSB 5375** - H COMM AMD  
20 By Committee on Law & Justice

21  
22 On page 1, line 2 of the title, after "support;" strike the  
23 remainder of the title and insert "amending RCW 46.20.291, 46.20.311,  
24 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100, 18.27.030,  
25 18.27.060, 18.28.060, 18.39.181, 18.46.050, 18.51.054, 18.96.120,  
26 18.96.150, 18.104.110, 18.106.070, 18.130.050, 18.130.120, 18.130.150,  
27 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115, 19.28.120,  
28 19.28.125, 19.28.310, 19.28.550, 19.28.580, 19.30.030, 19.30.060,  
29 19.16.110, 19.16.120, 19.31.100, 19.31.130, 19.32.040, 19.32.060,  
30 19.105.330, 19.105.380, 19.105.440, 19.138.130, 19.158.050, 19.166.040,  
31 21.20.070, 21.20.110, 66.20.320, 67.08.040, 67.08.100, 19.02.100,  
32 43.24.080, 43.24.110, 43.24.120, 70.74.110, 70.74.130, 70.74.135,  
33 70.74.360, 70.74.370, 66.24.010, 43.63B.040, 70.95D.040, 17.21.130,  
34 17.21.132, 64.44.060, 19.146.210, 19.146.220, 26.09.160, 26.09.165,  
35 26.23.050, 26.18.100, and 26.23.060; reenacting and amending RCW  
36 18.145.080; adding new sections to chapter 74.20A RCW; adding a new  
37 section to chapter 48.22 RCW; adding a new section to chapter 2.48 RCW;

1 adding a new section to chapter 18.04 RCW; adding a new section to  
2 chapter 18.08 RCW; adding a new section to chapter 18.16 RCW; adding a  
3 new section to chapter 18.20 RCW; adding a new section to chapter 18.28  
4 RCW; adding a new section to chapter 18.39 RCW; adding a new section to  
5 chapter 18.43 RCW; adding a new section to chapter 18.44 RCW; adding a  
6 new section to chapter 18.51 RCW; adding a new section to chapter 18.76  
7 RCW; adding a new section to chapter 18.85 RCW; adding a new section to  
8 chapter 18.96 RCW; adding a new section to chapter 18.104 RCW; adding  
9 a new section to chapter 18.106 RCW; adding a new section to chapter  
10 18.130 RCW; adding a new section to chapter 18.140 RCW; adding a new  
11 section to chapter 18.145 RCW; adding a new section to chapter 18.165  
12 RCW; adding a new section to chapter 18.170 RCW; adding a new section  
13 to chapter 18.175 RCW; adding a new section to chapter 18.185 RCW;  
14 adding a new section to chapter 28A.410 RCW; adding a new section to  
15 chapter 20.01 RCW; adding a new section to chapter 48.17 RCW; adding a  
16 new section to chapter 74.15 RCW; adding a new section to chapter 47.68  
17 RCW; adding a new section to chapter 71.12 RCW; adding a new section to  
18 chapter 66.20 RCW; adding a new section to chapter 66.24 RCW; adding a  
19 new section to chapter 88.02 RCW; adding a new section to chapter 43.24  
20 RCW; adding a new section to chapter 70.95B RCW; and adding a new  
21 section to chapter 26.09 RCW."

--- END ---