
SENATE BILL 6418

State of Washington

55th Legislature

1998 Regular Session

By Senators Deccio, Wojahn, Fairley, Wood and Winsley; by request of Department of Social and Health Services

Read first time 01/19/98. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to implementing amendments relating to child
2 support contained in the federal personal responsibility and work
3 opportunity reconciliation act of 1996; amending RCW 26.23.050,
4 26.23.055, 26.23.120, and 26.23.040; reenacting and amending RCW
5 74.20A.080; adding a new section to chapter 26.23 RCW; prescribing
6 penalties; and providing an effective date.

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

8 **Sec. 1.** RCW 74.20A.080 and 1997 c 130 s 7 and 1997 c 58 s 907 are
9 each reenacted and amended to read as follows:

10 (1) The secretary may issue to any person, firm, corporation,
11 association, political subdivision, department of the state, or agency,
12 subdivision, or instrumentality of the United States, an order to
13 withhold and deliver property of any kind, including but not restricted
14 to earnings which are or might become due, owing, or belonging to the
15 debtor, when the secretary has reason to believe that there is in the
16 possession of such person, firm, corporation, association, political
17 subdivision, department of the state, or agency, subdivision, or
18 instrumentality of the United States property which is or might become

1 due, owing, or belonging to said debtor. Such order to withhold and
2 deliver may be issued:

3 (a) At any time, if a responsible parent's support order:

4 (i) Contains notice that withholding action may be taken against
5 earnings, wages, or assets without further notice to the parent; or

6 (ii) Includes a statement that other income-withholding action
7 under this chapter may be taken without further notice to the
8 responsible parent;

9 (b) Twenty-one days after service of a notice of support debt under
10 RCW 74.20A.040;

11 (c) Twenty-one days after service of a notice and finding of
12 parental responsibility under RCW 74.20A.056;

13 (d) Twenty-one days after service of a notice of support owed under
14 RCW 26.23.110;

15 (e) Twenty-one days after service of a notice and finding of
16 financial responsibility under RCW 74.20A.055; or

17 (f) When appropriate under RCW 74.20A.270.

18 (2) The order to withhold and deliver shall:

19 (a) State the amount to be withheld on a periodic basis if the
20 order to withhold and deliver is being served to secure payment of
21 monthly current support;

22 (b) State the amount of the support debt accrued;

23 (c) State in summary the terms of RCW 74.20A.090 and 74.20A.100;

24 (d) Be served:

25 (i) In the manner prescribed for the service of a summons in a
26 civil action;

27 (ii) By certified mail, return receipt requested; or

28 (iii) By electronic means if there is an agreement between the
29 secretary and the person, firm, corporation, association, political
30 subdivision, department of the state, or agency, subdivision, or
31 instrumentality of the United States to accept service by electronic
32 means.

33 (3) The division of child support may use uniform interstate
34 withholding forms adopted by the United States department of health and
35 human services to take withholding actions under this section when the
36 responsible parent is owed money or property that is located in another
37 state.

38 (4) Any person, firm, corporation, association, political
39 subdivision, department of the state, or agency, subdivision, or

1 instrumentality of the United States upon whom service has been made is
2 hereby required to:

3 (a) Answer said order to withhold and deliver within twenty days,
4 exclusive of the day of service, under oath and in writing, and shall
5 make true answers to the matters inquired of therein; and

6 (b) Provide further and additional answers when requested by the
7 secretary.

8 (5) Any such person, firm, corporation, association, political
9 subdivision, department of the state, or agency, subdivision, or
10 instrumentality of the United States in possession of any property
11 which may be subject to the claim of the department shall:

12 (a)(i) Immediately withhold such property upon receipt of the order
13 to withhold and deliver; and

14 (ii) (~~Immediately~~) Within seven working days deliver the property
15 to the secretary (~~as soon as the twenty-day answer period expires~~);

16 (iii) Continue to withhold earnings payable to the debtor at each
17 succeeding disbursement interval as provided for in RCW 74.20A.090, and
18 deliver amounts withheld from earnings to the secretary (~~on~~) within
19 seven working days of the date earnings are payable to the debtor;

20 (iv) Deliver amounts withheld from periodic payments to the
21 secretary (~~on~~) within seven working days of the date the payments are
22 payable to the debtor;

23 (v) Inform the secretary of the date the amounts were withheld as
24 requested under this section; or

25 (b) Furnish to the secretary a good and sufficient bond,
26 satisfactory to the secretary, conditioned upon final determination of
27 liability.

28 (6) An order to withhold and deliver served under this section
29 shall not expire until:

30 (a) Released in writing by the division of child support;

31 (b) Terminated by court order; or

32 (c) The person or entity receiving the order to withhold and
33 deliver does not possess property of or owe money to the debtor for any
34 period of twelve consecutive months following the date of service of
35 the order to withhold and deliver.

36 (7) Where money is due and owing under any contract of employment,
37 express or implied, or is held by any person, firm, corporation, or
38 association, political subdivision, or department of the state, or
39 agency, subdivision, or instrumentality of the United States subject to

1 withdrawal by the debtor, such money shall be delivered by remittance
2 payable to the order of the secretary.

3 (8) Delivery to the secretary of the money or other property held
4 or claimed shall satisfy the requirement and serve as full acquittance
5 of the order to withhold and deliver.

6 (9) A person, firm, corporation, or association, political
7 subdivision, department of the state, or agency, subdivision, or
8 instrumentality of the United States that complies with the order to
9 withhold and deliver under this chapter is not civilly liable to the
10 debtor for complying with the order to withhold and deliver under this
11 chapter.

12 (10) The secretary may hold the money or property delivered under
13 this section in trust for application on the indebtedness involved or
14 for return, without interest, in accordance with final determination of
15 liability or nonliability.

16 (11) Exemptions contained in RCW 74.20A.090 apply to orders to
17 withhold and deliver issued under this section.

18 (12) The secretary shall also, on or before the date of service of
19 the order to withhold and deliver, mail or cause to be mailed a copy of
20 the order to withhold and deliver to the debtor at the debtor's last
21 known post office address, or, in the alternative, a copy of the order
22 to withhold and deliver shall be served on the debtor in the same
23 manner as a summons in a civil action on or before the date of service
24 of the order or within two days thereafter. The copy of the order
25 shall be mailed or served together with a concise explanation of the
26 right to petition for judicial review. This requirement is not
27 jurisdictional, but, if the copy is not mailed or served as in this
28 section provided, or if any irregularity appears with respect to the
29 mailing or service, the superior court, in its discretion on motion of
30 the debtor promptly made and supported by affidavit showing that the
31 debtor has suffered substantial injury due to the failure to mail the
32 copy, may set aside the order to withhold and deliver and award to the
33 debtor an amount equal to the damages resulting from the secretary's
34 failure to serve on or mail to the debtor the copy.

35 (13) An order to withhold and deliver issued in accordance with
36 this section has priority over any other wage assignment, garnishment,
37 attachment, or other legal process.

38 (14) The division of child support shall notify any person, firm,
39 corporation, association, or political subdivision, department of the

1 state, or agency, subdivision, or instrumentality of the United States
2 required to withhold and deliver the earnings of a debtor under this
3 action that they may deduct a processing fee from the remainder of the
4 debtor's earnings, even if the remainder would otherwise be exempt
5 under RCW 74.20A.090. The processing fee shall not exceed ten dollars
6 for the first disbursement to the department and one dollar for each
7 subsequent disbursement under the order to withhold and deliver.

8 **Sec. 2.** RCW 26.23.050 and 1997 c 58 s 888 are each amended to read
9 as follows:

10 (1) If the division of child support is providing support
11 enforcement services under RCW 26.23.045, or if a party is applying for
12 support enforcement services by signing the application form on the
13 bottom of the support order, the superior court shall include in all
14 court orders that establish or modify a support obligation:

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

17 (b) A statement that withholding action may be taken against wages,
18 earnings, assets, or benefits, and liens enforced against real and
19 personal property under the child support statutes of this or any other
20 state, without further notice to the responsible parent at any time
21 after entry of the court order, unless:

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

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

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

30 (d) A statement that the responsible parent's privileges to obtain
31 and maintain a license, as defined in RCW 74.20A.320, may not be
32 renewed, or may be suspended if the parent is not in compliance with a
33 support order as provided in RCW 74.20A.320.

34 As used in this subsection and subsection (3) of this section,
35 "good cause not to require immediate income withholding" means a
36 written determination of why implementing immediate wage withholding
37 would not be in the child's best interests and, in modification cases,
38 proof of timely payment of previously ordered support.

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

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

8 (i) A statement that withholding action may be taken against wages,
9 earnings, assets, or benefits, and liens enforced against real and
10 personal property under the child support statutes of this or any other
11 state, without further notice to the responsible parent at any time
12 after entry of the court order, unless:

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

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

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

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

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

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

33 (ii) If immediate income withholding is not ordered, the court
34 shall require that income withholding be delayed until a payment is
35 past due. The support order shall contain a statement that withholding
36 action may be taken against wages, earnings, assets, or benefits, and
37 liens enforced against real and personal property under the child
38 support statutes of this or any other state, without further notice to
39 the responsible parent, after a payment is past due.

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

7 (3) The office of administrative hearings and the department of
8 social and health services shall require that all support obligations
9 established as administrative orders include a provision which orders
10 and directs that the responsible parent shall make all support payments
11 to the Washington state support registry. All administrative orders
12 shall also state that the responsible parent's privileges to obtain and
13 maintain a license, as defined in RCW 74.20A.320, may not be renewed,
14 or may be suspended if the parent is not in compliance with a support
15 order as provided in RCW 74.20A.320. All administrative orders shall
16 also state that withholding action may be taken against wages,
17 earnings, assets, or benefits, and liens enforced against real and
18 personal property under the child support statutes of this or any other
19 state without further notice to the responsible parent at any time
20 after entry of the order, unless:

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

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

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

35 (5) Every support order shall state:

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

37 (b) That withholding action may be taken against wages, earnings,
38 assets, or benefits, and liens enforced against real and personal
39 property under the child support statutes of this or any other state,

1 without further notice to the responsible parent at any time after
2 entry of a support order, unless:

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

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

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

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

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

11 (f) The social security number, residence address, date of birth,
12 telephone number, driver's license number, and name and address of the
13 employer of the responsible parent, except as provided under subsection
14 (6) of this section;

15 (g) The social security number and residence address of the
16 physical custodian except as provided in subsection (6) or (7) of this
17 section;

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

20 (i) A provision requiring the responsible parent to keep the
21 Washington state support registry informed of whether he or she has
22 access to health insurance coverage at reasonable cost and, if so, the
23 health insurance policy information;

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

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

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

36 (m) That the responsible parent's privileges to obtain and maintain
37 a license, as defined in RCW 74.20A.320, may not be renewed, or may be
38 suspended if the parent is not in compliance with a support order as
39 provided in RCW 74.20A.320; and

1 (n) That each parent must:

2 (i) Provide the state case registry with the information required
3 by RCW 26.23.055; and

4 (ii) Update the information provided to the state case registry
5 when the information changes.

6 (6) The address and employer's name and address of either party may
7 be omitted from a support order if:

8 (a) There is reason to believe that release of the address
9 information may result in physical or emotional harm to the party or to
10 the child; or

11 (b) A restraining or protective order is in effect to protect one
12 party from the other party.

13 (7) The physical custodian's address(~~(a)~~) shall be omitted
14 from an order entered under the administrative procedure act.

15 (8) When (~~the physical custodian's~~) a party's employment or
16 address is omitted from an order, the order shall state that the
17 (~~custodian's address~~) information is known to the division of child
18 support, state case registry.

19 (~~(b) A responsible parent may request the physical custodian's~~
20 residence address by submission of a request for disclosure under RCW
21 26.23.120 to the division of child support.

22 (~~7~~) (9) After the responsible parent has been ordered or notified
23 to make payments to the Washington state support registry under this
24 section, the responsible parent shall be fully responsible for making
25 all payments to the Washington state support registry and shall be
26 subject to payroll deduction or other income-withholding action. The
27 responsible parent shall not be entitled to credit against a support
28 obligation for any payments made to a person or agency other than to
29 the Washington state support registry except as provided under RCW
30 74.20.101. A civil action may be brought by the payor to recover
31 payments made to persons or agencies who have received and retained
32 support moneys paid contrary to the provisions of this section.

33 **Sec. 3.** RCW 26.23.055 and 1997 c 58 s 904 are each amended to read
34 as follows:

35 (1) Each party to a paternity or child support proceeding must
36 provide the court and the Washington state child support registry with
37 his or her:

38 (a) Social security number;

- 1 (b) Current residential address;
- 2 (c) Date of birth;
- 3 (d) Telephone number;
- 4 (e) Driver's license number; and
- 5 (f) Employer's name, address, and telephone number.

6 (2) Each party to an order entered in a child support or paternity
7 proceeding shall update the information required under subsection (1)
8 of this section promptly after any change in the information. The duty
9 established under this section continues as long as any monthly support
10 or support debt remains due under the support order.

11 (3) In any proceeding to establish, enforce, or modify the child
12 support order between the parties, a party may demonstrate to the
13 presiding officer that he or she has diligently attempted to locate the
14 other party. Upon a showing of diligent efforts to locate, the
15 presiding officer (~~(may allow, or accept as adequate,)~~) shall deem
16 service of process for the action by delivery of written notice to the
17 address most recently provided by the party under this section to be
18 adequate notice of the action.

19 (4) All support orders shall contain notice to the parties of the
20 obligations established by this section and possibility of service of
21 process according to subsection (3) of this section.

22 **Sec. 4.** RCW 26.23.120 and 1997 c 58 s 908 are each amended to read
23 as follows:

24 (1) Any information or records concerning individuals who owe a
25 support obligation or for whom support enforcement services are being
26 provided which are obtained or maintained by the Washington state
27 support registry, the division of child support, or under chapter 74.20
28 RCW shall be private and confidential and shall only be subject to
29 public disclosure as provided in subsection (2) of this section.

30 (2) The secretary of the department of social and health services
31 may adopt rules:

- 32 (a) That specify what information is confidential;
- 33 (b) That specify the individuals or agencies to whom this
34 information and these records may be disclosed;
- 35 (c) Limiting the purposes for which the information may be
36 disclosed;
- 37 (d) Establishing procedures to obtain the information or records;
- 38 or

1 (e) Establishing safeguards necessary to comply with federal law
2 requiring safeguarding of information.

3 (3) The rules adopted under subsection (2) of this section shall
4 provide for disclosure of the information and records, under
5 appropriate circumstances, which shall include, but not be limited to:

6 (a) When authorized or required by federal statute or regulation
7 governing the support enforcement program;

8 (b) To the person the subject of the records or information, unless
9 the information is exempt from disclosure under RCW 42.17.310;

10 (c) To government agencies, whether state, local, or federal, and
11 including federally recognized tribes, law enforcement agencies,
12 prosecuting agencies, and the executive branch, if the disclosure is
13 necessary for child support enforcement purposes or required under
14 Title IV-D of the federal social security act;

15 (d) To the parties in a judicial or adjudicative proceeding upon a
16 specific written finding by the presiding officer that the need for the
17 information outweighs any reason for maintaining the privacy and
18 confidentiality of the information or records;

19 (e) To private persons, federally recognized tribes, or
20 organizations if the disclosure is necessary to permit private
21 contracting parties to assist in the management and operation of the
22 department;

23 (f) Disclosure of address and employment information to the parties
24 to an action for purposes relating to a child support order, subject to
25 the limitations in subsections (4) and (5) of this section;

26 (g) Disclosure of information or records when necessary to the
27 efficient administration of the support enforcement program or to the
28 performance of functions and responsibilities of the support registry
29 and the division of child support as set forth in state and federal
30 statutes; or

31 (h) Disclosure of the information or records when authorized under
32 RCW 74.04.060.

33 (4) Prior to disclosing the whereabouts of a physical custodian,
34 custodial parent or a (~~party to a support order~~) child to the other
35 parent or party, a notice shall be mailed, if appropriate under the
36 circumstances, to the parent or (~~other party~~) physical custodian
37 whose whereabouts are to be disclosed, at that person's last known
38 address. The notice shall advise the parent or (~~party~~) physical

1 custodian that a request for disclosure has been made and will be
2 complied with unless the department:

3 (a) Receives a copy of a court order within thirty days which
4 enjoins the disclosure of the information or restricts or limits the
5 requesting party's right to contact or visit the parent or party whose
6 address is to be disclosed or the child;

7 (b) Receives a hearing request within thirty days under subsection
8 (5) of this section; or

9 (c) Has reason to believe that the release of the information may
10 result in physical or emotional harm to the party whose whereabouts are
11 to be released, or to the child.

12 (5) A person receiving notice under subsection (4) of this section
13 may request an adjudicative proceeding under chapter 34.05 RCW, at
14 which the person may show that there is reason to believe that release
15 of the information may result in physical or emotional harm to the
16 person or the child. The administrative law judge shall determine
17 whether the whereabouts of the person should be disclosed based on
18 subsection (4)(c) of this section, however no hearing is necessary if
19 the department has in its possession a protective order or an order
20 limiting visitation or contact.

21 (6) The notice and hearing process in subsections (4) and (5) of
22 this section do not apply to protect the whereabouts of a noncustodial
23 parent, unless that parent has requested notice before whereabouts
24 information is released. A noncustodial parent may request such notice
25 by submitting a written request to the division of child support.

26 (7) Nothing in this section shall be construed as limiting or
27 restricting the effect of RCW 42.17.260(9). Nothing in this section
28 shall be construed to prevent the disclosure of information and records
29 if all details identifying an individual are deleted or the individual
30 consents to the disclosure.

31 ((+7)) (8) It shall be unlawful for any person or agency in
32 violation of this section to solicit, publish, disclose, receive, make
33 use of, or to authorize, knowingly permit, participate in or acquiesce
34 in the use of any lists of names for commercial or political purposes
35 or the use of any information for purposes other than those purposes
36 specified in this section. A violation of this section shall be a
37 gross misdemeanor as provided in chapter 9A.20 RCW.

1 **Sec. 5.** RCW 26.23.040 and 1997 c 58 s 944 are each amended to read
2 as follows:

3 (1) All employers doing business in the state of Washington(~~(, and~~
4 ~~to whom the department of employment security has assigned a standard~~
5 ~~industrial classification sic code)) shall report to the Washington~~
6 state support registry:

7 (a) The hiring of any person who resides or works in this state to
8 whom the employer anticipates paying earnings; and

9 (b) The rehiring or return to work of any employee who was laid
10 off, furloughed, separated, granted a leave without pay, or terminated
11 from employment.

12 The secretary of the department of social and health services may
13 adopt rules to establish additional exemptions if needed to reduce
14 unnecessary or burdensome reporting.

15 (2) Employers may report by mailing the employee's copy of the W-4
16 form, or other means authorized by the registry which will result in
17 timely reporting.

18 (3) Employers shall submit reports within twenty days of the
19 hiring, rehiring, or return to work of the employee, except as provided
20 in subsection (4) of this section. The report shall contain:

21 (a) The employee's name, address, social security number, and date
22 of birth; and

23 (b) The employer's name, address, (~~(employment security reference~~
24 ~~number, unified business identifier number)) and identifying number~~
25 assigned under section 6109 of the internal revenue code of 1986.

26 (4) In the case of an employer transmitting reports magnetically or
27 electronically, the employer shall report newly hired employees by two
28 monthly transmissions, if necessary, not less than twelve days nor more
29 than sixteen days apart.

30 (5) An employer who fails to report as required under this section
31 (~~(shall be given a written warning for the first violation and)) shall~~
32 be subject to a civil penalty of (~~(up to two hundred dollars per month~~
33 ~~for each subsequent violation after the warning has been given)):~~

34 (a) Twenty-five dollars per month per employee; or

35 (b) Five hundred dollars, if the failure to report is the result of
36 a conspiracy between the employer and the employee not to supply the
37 required report, or to supply a false report. All violations within a
38 single month shall be considered a single violation for purposes of

1 assessing the penalty. The penalty may be imposed and collected by the
2 division of child support under RCW 74.20A.350.

3 (6) The registry shall retain the information for a particular
4 employee only if the registry is responsible for establishing,
5 enforcing, or collecting a support debt of the employee. The registry
6 may, however, retain information for a particular employee for as long
7 as may be necessary to:

8 (a) Transmit the information to the national directory of new hires
9 as required under federal law; or

10 (b) Provide the information to other state agencies for comparison
11 with records or information possessed by those agencies as required by
12 law.

13 Information that is not permitted to be retained shall be promptly
14 destroyed. Agencies that obtain information from the department of
15 social and health services under this section shall maintain the
16 confidentiality of the information received, except as necessary to
17 implement the agencies' responsibilities.

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 26.23 RCW
19 to read as follows:

20 In order to assist in child support enforcement, state agencies
21 shall have procedures requiring that the social security number of any
22 applicant for a professional license, driver's license, occupational
23 license, or recreational license be recorded on the application. If a
24 state agency allows the use of a number other than the social security
25 number to be on the face of the document while the social security
26 number is kept on file at the agency, the agency shall so advise any
27 applicants.

28 NEW SECTION. **Sec. 7.** Section 5 of this act takes effect October
29 1, 1998.

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