

HOUSE BILL ANALYSIS

HB 2579

Title: An act relating to child support technical amendments necessary to implement the federal personal responsibility and work opportunity reconciliation act of 1996.

Brief Description: Making technical corrections to the implementation of the federal personal responsibility and work opportunity reconciliation act of 1996.

Sponsors: Representatives Lambert and Dickerson; by request of Department of Social and Health Services.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: January 26, 2000.

Bill Analysis Prepared by: Tracey Taylor (786-7196).

Background: The Personal Responsibility and Work Opportunity Act of 1996 (P.L. 104-193, PWORA-) was enacted on August 22, 1996. It included provisions regarding the enforcement of child support orders.

PWORA requires that the states pass laws which allow for the withholding, suspension, or restriction on the use of driver's, professional, occupational or recreational licenses of delinquent obligors. When the licensing statutes were amended in 1997, licenses granted under the Horse Racing Commission were inadvertently overlooked.

The Notice of Payroll Deduction (PDN-), the Order to Withhold and Deliver (OWD-) and the Notice of Enrollment (NOE-) to enforce an order to provide health care coverage for a child have inconsistent time frames and service requirement. PWORA requires the use of federal uniform withholding forms within a state; however, current Washington law does not require the use of these forms.

When the foster care payment laws were amended to conform with PWORA, the subrogation and assignment rights of the state for such payment were inadvertently excluded.

PWORA requires full faith and credit to liens filed by other states, and provides for high-volume automated enforcement of interstate cases.

Summary of Bill: Changes are made to conform Washington law to the federal requirements under PWORA.

The changes include:

- according full faith and credit to liens filed by other states;
- allowing notice of enrollment to be served on the employer or union by mail;
- changing the answer period for a notice enrollment to 20 days (same as the OWD and Deliver and the PDN);
- allowing the use of the uniform interstate withholding forms;
- including the suspension of licenses granted by the Horse Racing Commission;
- including the department's subrogation and assignment rights of child support for public assistance on behalf of foster child under Title IV-E of the Social Security Act;

- eliminating the requirement for employer to retain an OWD for former employees;
- allowing the Department of Child Support to take enforcement action against assets of a noncustodial parent located in the state of Washington, regardless of presence of the noncustodial parent;
- allowing the state to file a jeopardy lien against property located within the state, regardless of presence or residence of obligor; and
- defining the certification process to assist other states in high-volume automated enforcement of interstate child support cases, as required by PWORA.

Appropriation: None.

Fiscal Note: Requested on January 18, 2000.

Effective Date: Ninety days after adjournment of session in which bill is passed.