

# SENATE BILL REPORT

## SHB 1571

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As Reported By Senate Committee On:  
Children & Family Services & Corrections, April 4, 2003

**Title:** An act relating to enhancing necessary child support payments.

**Brief Description:** Enhancing enforcement of child support obligations.

**Sponsors:** House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Holmquist, Dickerson, Delvin, Upthegrove, Pettigrew, Hinkle, Priest, Condotta, Kristiansen, Orcutt, Rockefeller, Bush, McCoy and Clements).

**Brief History:**

**Committee Activity:** Children & Family Services & Corrections: 3/21/03, 4/4/03 [DPA].

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### SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

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**Majority Report:** Do pass as amended.

Signed by Senators Stevens, Chair; Parlette, Vice Chair; Carlson, Deccio, Hargrove, McAuliffe and Regala.

**Staff:** Tony Rugel (786-7754)

**Background:** Some inmates in the Department of Corrections (DOC) facilities are employed in work programs, which are defined as class I, II, III or IV.

DOC is currently responsible for taking deductions from the gross wages and gratuities of each inmate working in class I through class IV correctional industry programs.

Currently, child support payments can be deducted from an inmate's wages and from the inmate's DOC savings account in two ways:

1. In instances where an offender works for a class I industry, the Division of Child Support (DCS) can send a payroll deduction notice directly to the employer; or
2. DCS may issue an order to withhold and deliver child support payments from any inmate who owes child support.

**Summary of Amended Bill:** DOC must deduct 15 percent from class II through IV gratuities earned by an inmate working in a correctional facility work program for any child support owed under a support order. DOC must also deduct 15 percent from any funds an inmate receives other than from wages or gratuities, except for funds received as a result of a settlement or award resulting from legal action. Inmates who have been sentenced to life imprisonment without the possibility of parole, or death, are also subject to the 15 percent deduction from money received by an inmate, except for funds received as a result of a settlement or award resulting from legal action.

A technical change is made which reorganizes two sections of the statute so that class III comes before class IV formulas.

Nothing in the statute limits the DCS from taking collection action against an inmate's moneys, assets, or property which they are otherwise authorized to do by statute, including the collection of moneys received as a result of a settlement or award resulting from legal action.

**Amended Bill Compared to Substitute Bill:** A portion is added to the findings section of the bill: it is a further finding that the Legislature intends the deductions of child support from inmate wages and gratuities be given directly to the families for whom the moneys were intended to support.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The money deducted may be so small as to be symbolic but the message is important: child support must be paid.

**Testimony Against:** None.

**Testified:** PRO: Rep. Janea Holmquist, 13th District; David Stillman, DSHS, Division of Child Support; Paul and Sue Muhs, citizens, Quincy, WA.