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HOUSE BILL 2119

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Halder, Hinkle, Walsh, Curtis, Anderson, Dunn, Ericksen and Rodne

Read first time 02/18/2005.            Referred to Committee on Juvenile Justice & Family Law.

1            AN ACT Relating to privatizing the child support enforcement  
2 program; adding a new section to chapter 74.20 RCW; adding a new  
3 section to chapter 41.80 RCW; providing an effective date; and  
4 declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 74.20 RCW  
7 to read as follows:

8            (1)(a) The legislature finds that: (i) With increasing demands for  
9 public services and limited resources for additional state personnel,  
10 the state needs to be more effective and responsive in ensuring that  
11 parents meet their child support obligations; and (ii) private and  
12 nonprofit entities are able to provide high quality services more cost-  
13 effectively than the state because of management flexibility and better  
14 access to technology.

15            (b) The purpose of this section is to improve customer service,  
16 increase collection of child support owed to custodial parents, and  
17 improve the lives of affected children.

18            (2) By July 1, 2005, the secretary shall initiate a process under  
19 RCW 41.06.142 (1), (4), and (5) for the purpose of contracting with one

1 or more private or nonprofit entities or employee business units, as  
2 defined in RCW 41.06.142, for services in administering all aspects of  
3 child support enforcement functions under this chapter and chapter  
4 74.20A RCW. However, the requirement in RCW 41.06.142(1)(e) for  
5 determining savings or efficiency improvements shall be deemed to be  
6 satisfied if the successful bidder or bidders for the contract  
7 reasonably demonstrate the methods by which savings or efficiency  
8 improvements, or both, will be achieved.

9 (3) The secretary shall adopt such rules as may be necessary to  
10 implement this section, including but not limited to:

11 (a) Providing for the reimbursement of the contractors, but such  
12 reimbursement may not:

13 (i) Exceed the administrative cost per child support dollar  
14 collected by the department in the fiscal year preceding the year in  
15 which the contract becomes effective; or

16 (ii) Be made from child support collections;

17 (b) Requiring the contractor to offer employment upon terms deemed  
18 fair by the secretary to any existing state employee affected by the  
19 transfer of child support enforcement responsibilities and to retain,  
20 unless there is cause for dismissal, any employees who accept the  
21 offer. However, the contractor is not bound to any collective  
22 bargaining agreement that may be applicable to the affected employees  
23 at the time of the transfer, and the contractor is not a successor to  
24 any bargaining obligations that may have applied to the state under  
25 chapter 41.80 RCW at the time of the transfer; and

26 (c) Providing for the orderly transition of child support  
27 enforcement functions to one or more contractors selected under this  
28 section.

29 (4) The transfer of all aspects of child support enforcement to one  
30 or more contractors must be completed by July 1, 2006.

31 (5) Beginning December 1, 2007, and each December 1st thereafter,  
32 the secretary must report to the governor and the appropriate  
33 committees of the legislature on the operation and performance of the  
34 program contracted under this section. The report must include an  
35 assessment of the effectiveness and success of the contracted program  
36 in enhancing child support collection and provide any plans or  
37 recommendations for improving the effectiveness and success of the  
38 contracted program in achieving the purposes of this section.

1        NEW SECTION.   **Sec. 2.**   A new section is added to chapter 41.80 RCW  
2 to read as follows:

3        A contractor under section 1 of this act is not a successor to any  
4 bargaining obligations that may have applied to the state under this  
5 chapter at the time of the transfer required under section 1 of this  
6 act.

7        NEW SECTION.   **Sec. 3.**   This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of the  
9 state government and its existing public institutions, and takes effect  
10 July 1, 2005.

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