

# SENATE BILL REPORT

## HB 2401

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As of February 23, 2012

**Title:** An act relating to cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders.

**Brief Description:** Regarding cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders.

**Sponsors:** Representatives Hunt, Hudgins, Upthegrove, Ormsby, Green and Miloscia.

**Brief History:** Passed House: 2/13/12, 61-37.

**Committee Activity:** Human Services & Corrections: 2/21/12.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Shani Bauer (786-7468)

**Background:** As required by federal law, the Department of Social and Human Services (DSHS) has the authority to suspend or restrict the use of driver licenses, professional and occupational licenses, and recreational and sporting licenses of individuals owing past due child support. In 1997 the Legislature required all support orders to include a statement notifying the responsible parent that the privilege to obtain and maintain a license may not be renewed, or may be suspended, if the parent is not in compliance with a support order.

When a responsible parent is out of compliance with the support order, DSHS may serve notice upon the parent of its intent to submit the parent's name to the licensing entity for suspension of the parent's license. DSHS must attach a copy of the parent's child support order to the notice and the notice must be sent by certified mail, return receipt requested. If certified mail is not successful, service must be by personal service. In order to avoid license suspension, the parent has 20 days from the date of the notice to contact DSHS to pay overdue amounts, enter into a payment agreement, request an adjudicative hearing, or move to modify the child support obligation.

**Summary of Bill:** If the support order establishing or modifying the support obligation includes a statement notifying the responsible parent that the ability to obtain or maintain a license may not be renewed or may be suspended if the parent is not in compliance with the support order, DSHS may send notice of intent to submit the parent's name to the licensing entity by first-class mail, addressed to the responsible parent's last known mailing address on

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file with DSHS. Notice by first-class mail is deemed served three days from the date the notice is deposited with the postal service. If the support order does not contain notice of potential license suspension, notice must still be served by certified mail, return receipt requested.

DSHS is no longer required to include a copy of the support order with the notice. DSHS must provide a copy of the support order to the responsible parent upon the parent's request.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: Sending notice of intent to suspend the license is costly and duplicative. This bill only allows service of notice by first class mail if the responsible parent already received notice of possible license suspension in his or her child support order. The parent will also receive notice from the Department of Transportation at the time of suspension.

**Persons Testifying:** PRO: Representative Hunt, prime sponsor; Katie Nelson, WA State Federation of State Employees.