
HOUSE BILL 2828

State of Washington 62nd Legislature 2012 1st Special Session

By Representative Hunter

Read first time 04/03/12. Referred to Committee on Ways & Means.

1 AN ACT Relating to removing the requirement that the department of
2 social and health services or the department of early learning take
3 appropriate action to establish or enforce support obligations whenever
4 it receives an application for subsidized child care services or
5 working connections child care services; amending RCW 74.20.040;
6 providing an effective date; and declaring an emergency.

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

8 **Sec. 1.** RCW 74.20.040 and 2011 1st sp.s. c 42 s 9 are each amended
9 to read as follows:

10 (1) Whenever the department receives an application for public
11 assistance on behalf of a child, (~~or the department receives an~~
12 ~~application for subsidized child care services or working connections~~
13 ~~child care services,)) the department (~~or the department of early~~
14 ~~learning)) shall take appropriate action under the provisions of this~~~~

15 chapter, chapter 74.20A RCW, or other appropriate statutes of this
16 state to establish or enforce support obligations against the parent or
17 other persons owing a duty to pay support moneys.
18 (2) The secretary may accept a request for support enforcement
19 services on behalf of persons who are not recipients of public

1 assistance and may take appropriate action to establish or enforce
2 support obligations against the parent or other persons owing a duty to
3 pay moneys. Requests accepted under this subsection may be conditioned
4 upon the payment of a fee as required by subsection (6) of this section
5 or through regulation issued by the secretary. The secretary may
6 establish by regulation, reasonable standards and qualifications for
7 support enforcement services under this subsection.

8 (3) The secretary may accept requests for support enforcement
9 services from child support enforcement agencies in other states
10 operating child support programs under Title IV-D of the social
11 security act or from foreign countries, and may take appropriate action
12 to establish and enforce support obligations, or to enforce subpoenas,
13 information requests, orders for genetic testing, and collection
14 actions issued by the other agency against the parent or other person
15 owing a duty to pay support moneys, the parent or other person's
16 employer, or any other person or entity properly subject to child
17 support collection or information-gathering processes. The request
18 shall contain and be accompanied by such information and documentation
19 as the secretary may by rule require, and be signed by an authorized
20 representative of the agency. The secretary may adopt rules setting
21 forth the duration and nature of services provided under this
22 subsection.

23 (4) The department may take action to establish, enforce, and
24 collect a support obligation, including performing related services,
25 under this chapter and chapter 74.20A RCW, or through the attorney
26 general or prosecuting attorney for action under chapter 26.09, 26.18,
27 26.20, 26.21A, or 26.26 RCW or other appropriate statutes or the common
28 law of this state.

29 (5) Whenever a support order is filed with the Washington state
30 support registry under chapter 26.23 RCW, the department may take
31 appropriate action under the provisions of this chapter, chapter 26.23
32 or 74.20A RCW, or other appropriate law of this state to establish or
33 enforce the support obligations contained in that order against the
34 responsible parent or other persons owing a duty to pay support moneys.

35 (6) The secretary, in the case of an individual who has never
36 received assistance under a state program funded under part A and for
37 whom the state has collected at least five hundred dollars of support,
38 shall impose an annual fee of twenty-five dollars for each case in

1 which services are furnished, which shall be retained by the state from
2 support collected on behalf of the individual, but not from the first
3 five hundred dollars of support. The secretary may, on showing of
4 necessity, waive or defer any such fee or cost.

5 (7) Fees, due and owing, may be retained from support payments
6 directly or collected as delinquent support moneys utilizing any of the
7 remedies in chapter 74.20 RCW, chapter 74.20A RCW, chapter 26.21A RCW,
8 or any other remedy at law or equity available to the department or any
9 agencies with whom it has a cooperative or contractual arrangement to
10 establish, enforce, or collect support moneys or support obligations.

11 (8) The secretary may waive the fee, or any portion thereof, as a
12 part of a compromise of disputed claims or may grant partial or total
13 charge off of said fee if the secretary finds there are no available,
14 practical, or lawful means by which said fee may be collected or to
15 facilitate payment of the amount of delinquent support moneys or fees
16 owed.

17 (9) The secretary shall adopt rules conforming to federal laws,
18 including but not limited to complying with section 7310 of the federal
19 deficit reduction act of 2005, 42 U.S.C. Sec. 654, and rules and
20 regulations required to be observed in maintaining the state child
21 support enforcement program required under Title IV-D of the federal
22 social security act. The adoption of these rules shall be calculated
23 to promote the cost-effective use of the agency's resources and not
24 otherwise cause the agency to divert its resources from its essential
25 functions.

26 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 June 7, 2012.

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