
SENATE BILL 6181

State of Washington

63rd Legislature

2014 Regular Session

By Senators Braun, Angel, Bailey, Rivers, Becker, and Honeyford

Read first time 01/16/14. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to child care; and amending RCW 43.215.135,
2 74.20.040, and 74.20.330.

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

4 **Sec. 1.** RCW 43.215.135 and 2013 c 323 s 9 are each amended to read
5 as follows:

6 (1) The department shall establish and implement policies in the
7 working connections child care program to promote stability and quality
8 of care for children from low-income households. Policies for the
9 expenditure of funds constituting the working connections child care
10 program must be consistent with the outcome measures defined in RCW
11 74.08A.410 and the standards established in this section intended to
12 promote continuity of care for children.

13 (2) Beginning in fiscal year 2013, authorizations for the working
14 connections child care subsidy shall be effective for twelve months
15 unless a change in circumstances necessitates reauthorization sooner
16 than twelve months. The twelve-month certification applies only if the
17 enrollments in the child care subsidy or working connections child care
18 program are capped.

1 (3) As a condition of receiving a child care subsidy or a working
2 connections child care subsidy, the applicant or recipient must seek
3 child support enforcement services from the department of social and
4 health services, division of child support, unless the department finds
5 that the applicant or recipient has good cause not to cooperate.

6 (4) Subject to the availability of amounts appropriated for this
7 specific purpose, beginning September 1, 2013, working connections
8 child care providers shall receive a five percent increase in the
9 subsidy rate for enrolling in level 2 in the early achievers programs.
10 Providers must complete level 2 and advance to level 3 within thirty
11 months in order to maintain this increase.

12 **Sec. 2.** RCW 74.20.040 and 2012 1st sp.s. c 4 s 1 are each amended
13 to read as follows:

14 (1) Whenever the department receives an application for public
15 assistance on behalf of a child, or the department receives an
16 application for subsidized child care services or working connections
17 child care services, the department or the department of early learning
18 shall take appropriate action under the provisions of this chapter,
19 chapter 74.20A RCW, or other appropriate statutes of this state to
20 establish or enforce support obligations against the parent or other
21 persons owing a duty to pay support moneys.

22 (2) The secretary may accept a request for support enforcement
23 services on behalf of persons who are not recipients of public
24 assistance and may take appropriate action to establish or enforce
25 support obligations against the parent or other persons owing a duty to
26 pay moneys. Requests accepted under this subsection may be conditioned
27 upon the payment of a fee as required by subsection (6) of this section
28 or through regulation issued by the secretary. The secretary may
29 establish by regulation, reasonable standards and qualifications for
30 support enforcement services under this subsection.

31 (3) The secretary may accept requests for support enforcement
32 services from child support enforcement agencies in other states
33 operating child support programs under Title IV-D of the social
34 security act or from foreign countries, and may take appropriate action
35 to establish and enforce support obligations, or to enforce subpoenas,
36 information requests, orders for genetic testing, and collection
37 actions issued by the other agency against the parent or other person

1 owing a duty to pay support moneys, the parent or other person's
2 employer, or any other person or entity properly subject to child
3 support collection or information-gathering processes. The request
4 shall contain and be accompanied by such information and documentation
5 as the secretary may by rule require, and be signed by an authorized
6 representative of the agency. The secretary may adopt rules setting
7 forth the duration and nature of services provided under this
8 subsection.

9 (4) The department may take action to establish, enforce, and
10 collect a support obligation, including performing related services,
11 under this chapter and chapter 74.20A RCW, or through the attorney
12 general or prosecuting attorney for action under chapter 26.09, 26.18,
13 26.20, 26.21A, or 26.26 RCW or other appropriate statutes or the common
14 law of this state.

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

21 (6) The secretary, in the case of an individual who has never
22 received assistance under a state program funded under part A and for
23 whom the state has collected at least five hundred dollars of support,
24 shall impose an annual fee of twenty-five dollars for each case in
25 which services are furnished, which shall be retained by the state from
26 support collected on behalf of the individual, but not from the first
27 five hundred dollars of support. The secretary may, on showing of
28 necessity, waive or defer any such fee or cost.

29 (7) Fees, due and owing, may be retained from support payments
30 directly or collected as delinquent support moneys utilizing any of the
31 remedies in this chapter ((74.20—RCW)), chapter 74.20A RCW, chapter
32 26.21A RCW, or any other remedy at law or equity available to the
33 department or any agencies with whom it has a cooperative or
34 contractual arrangement to establish, enforce, or collect support
35 moneys or support obligations.

36 (8) The secretary may waive the fee, or any portion thereof, as a
37 part of a compromise of disputed claims or may grant partial or total
38 charge off of said fee if the secretary finds there are no available,

1 practical, or lawful means by which said fee may be collected or to
2 facilitate payment of the amount of delinquent support moneys or fees
3 owed.

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

13 **Sec. 3.** RCW 74.20.330 and 2012 1st sp.s. c 4 s 2 are each amended
14 to read as follows:

15 (1) Whenever public assistance is paid under a state program funded
16 under Title IV-A of the federal social security act as amended by the
17 personal responsibility and work opportunity reconciliation act of
18 1996, and the federal deficit reduction act of 2005, each applicant or
19 recipient is deemed to have made assignment to the department of any
20 rights to a support obligation from any other person the applicant or
21 recipient may have in his or her own behalf or in behalf of any other
22 family member for whom the applicant or recipient is applying for or
23 receiving public assistance, including any unpaid support obligation or
24 support debt which has accrued at the time the assignment is made.

25 (2) Payment of public assistance under a state-funded program, or
26 a program funded under Title IV-A, IV-E, or XIX of the federal social
27 security act as amended by the personal responsibility and work
28 opportunity reconciliation act of 1996 shall:

- 29 (a) Operate as an assignment by operation of law; and
- 30 (b) Constitute an authorization to the department to provide the
31 assistance recipient with support enforcement services.

32 (3) Payment for subsidized child care services or working
33 connections child care services shall constitute an authorization to
34 the department to provide the recipient of the subsidy with support
35 enforcement services. The department is authorized to collect, but not
36 retain, child support payments under this subsection.

1 (4) Effective October 1, 2008, whenever public assistance is paid
2 under a state program funded under Title IV-A of the federal social
3 security act as amended by the personal responsibility and work
4 opportunity reconciliation act of 1996, and the federal deficit
5 reduction act of 2005, a member of the family is deemed to have made an
6 assignment to the state any right the family member may have, or on
7 behalf of the family member receiving such assistance, to support from
8 any other person, not exceeding the total amount of assistance paid to
9 the family, which accrues during the period that the family receives
10 assistance under the program.

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