
SENATE BILL 6485

State of Washington

63rd Legislature

2014 Regular Session

By Senators Darneille, Pedersen, Kohl-Welles, and Kline; by request of Department of Social and Health Services

Read first time 01/29/14. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to implementing federal child support program
2 license withholding, restriction, and suspension requirements; amending
3 RCW 74.20A.320; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that, in order to
6 comply with federal requirements under Title IV-D of the federal social
7 security act, it is necessary to provide to the department of social
8 and health services' division of child support, the authority to
9 withhold, restrict, or suspend driver's licenses, professional or
10 occupational licenses, and recreational or sporting licenses of
11 individuals who owe overdue child support.

12 (2) Nearly every year, bills introduced in the legislature propose
13 new licenses and licensing requirements. If a bill does not contain
14 the federally required authority to withhold, restrict, or suspend
15 certain licenses, department of social and health services and
16 legislative staff must work with the bill sponsor and the appropriate
17 legislative committee to make sure that the bill is amended to add the
18 federally required authority before adoption. The legislature finds
19 that this is not an efficient use of our limited state resources.

1 (3) To address this problem, the legislature intends to adopt a
2 statute which provides that any agency of the state of Washington which
3 issues driver's licenses, professional or occupational licenses, or
4 recreational or sporting licenses must withhold, restrict, or suspend
5 the license of a responsible parent when the department of social and
6 health services certifies that parent's name as being a licensee who is
7 not in compliance with a child support order, under RCW 74.20A.320.

8 **Sec. 2.** RCW 74.20A.320 and 2009 c 408 s 1 are each amended to read
9 as follows:

10 (1) The department may serve upon a responsible parent a notice
11 informing the responsible parent of the department's intent to submit
12 the parent's name to the department of licensing and any appropriate
13 licensing entity responsible for issuing or renewing driver's licenses,
14 professional or occupational licenses, or recreational or sporting
15 licenses as a licensee who is not in compliance with a child support
16 order. The department shall attach a copy of the responsible parent's
17 child support order to the notice. Service of the notice must be by
18 certified mail, return receipt requested. If service by certified mail
19 is not successful, service shall be by personal service.

20 (2) The notice of noncompliance must include the following
21 information:

22 (a) The address and telephone number of the department's division
23 of child support office that issued the notice;

24 (b) That in order to prevent the department from certifying the
25 parent's name to the department of licensing or any other licensing
26 entity, the parent has twenty days from receipt of the notice to
27 contact the department and:

28 (i) Pay the overdue support amount in full;

29 (ii) Request an adjudicative proceeding as provided in RCW
30 74.20A.322;

31 (iii) Agree to a payment schedule with the department as provided
32 in RCW 74.20A.326; or

33 (iv) File an action to modify the child support order with the
34 appropriate court or administrative forum, in which case the department
35 will stay the certification process up to six months;

36 (c) That failure to contact the department within twenty days of
37 receipt of the notice will result in certification of the responsible

1 parent's name to the department of licensing and any other appropriate
2 licensing entity for noncompliance with a child support order. Upon
3 receipt of the notice:

4 (i) The licensing entity will suspend or not renew the parent's
5 license and the department of licensing will suspend or not renew any
6 driver's license that the parent holds until the parent provides the
7 department of licensing and the licensing entity with a release from
8 the department stating that the responsible parent is in compliance
9 with the child support order;

10 (ii) The department of fish and wildlife will suspend a fishing
11 license, hunting license, occupational licenses, such as a commercial
12 fishing license, or any other license issued under chapter 77.32 RCW
13 that the responsible parent may possess, and suspension of a license by
14 the department of fish and wildlife may also affect the parent's
15 ability to obtain permits, such as special hunting permits, issued by
16 the department. Notice from the department of licensing that a
17 responsible parent's driver's license has been suspended shall serve as
18 notice of the suspension of a license issued under chapter 77.32 RCW;

19 (d) That suspension of a license will affect insurability if the
20 responsible parent's insurance policy excludes coverage for acts
21 occurring after the suspension of a license;

22 (e) If the responsible parent subsequently comes into compliance
23 with the child support order, the department will promptly provide the
24 parent and the appropriate licensing entities with a release stating
25 that the parent is in compliance with the order.

26 (3) When a responsible parent who is served notice under subsection
27 (1) of this section subsequently complies with the child support order,
28 a copy of a release stating that the responsible parent is in
29 compliance with the order shall be transmitted by the department to the
30 appropriate licensing entities.

31 (4) The department of licensing and a licensing entity may renew,
32 reinstate, or otherwise extend a license in accordance with the
33 licensing entity's or the department of licensing's rules after the
34 licensing entity or the department of licensing receives a copy of the
35 release specified in subsection (3) of this section. The department of
36 licensing and a licensing entity may waive any applicable requirement
37 for reissuance, renewal, or other extension if it determines that the

1 imposition of that requirement places an undue burden on the person and
2 that waiver of the requirement is consistent with the public interest.

3 (5)(a) Any agency of the state of Washington that issues driver's
4 licenses, professional or occupational licenses, or recreational or
5 sporting licenses must withhold, restrict, or suspend the license of a
6 responsible parent when the department certifies that parent's name as
7 being a licensee who is not in compliance with a child support order,
8 under RCW 74.20A.320.

9 (b) The requirement in (a) of this subsection applies to all state
10 licensing entities regardless of whether there is a separate agency
11 statute on the same subject.

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