

SSB 5498 - S AMD 106

By Senators Padden, Pedersen

ADOPTED 3/4/2015

1 On page 36, beginning on line 3, after "chapter" strike all
2 material through "Article 9" on line 4 and insert "4.24 RCW"

3 On page 36, line 10, after "is" strike "deemed" and insert
4 "presumed"

5 On page 36, after line 13, insert the following:

6 NEW SECTION. **Sec. 62.** If any part of this act is found to be
7 in conflict with federal requirements that are a prescribed condition
8 to the allocation of federal funds to the state, the Washington
9 department of social and health services shall submit a request to
10 obtain a statutory or regulatory waiver of provisions to the extent
11 of the conflicting requirements in Title IV-D of the federal social
12 security act from the federal department of health and human
13 services.

14 NEW SECTION. **Sec. 63.** If after submission of a waiver request
15 pursuant to section 62 of this act, the federal department of health
16 and human services denies the request for the waiver, then section 61
17 of this act is inoperative with respect to sections 1 through 60 of
18 this act."

19 Renumber the remaining sections consecutively and correct any
20 internal references accordingly.

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21 On page 1, line 10 of the title, after "26.21A RCW;" insert
22 "adding a new section to chapter 4.24 RCW;"

EFFECT: The 2008 UIFSA Amendments are adopted verbatim in their entirety in chapter 26.21A RCW.

A new section is added to chapter 4.24 RCW that presumes (but does not deem) an order is manifestly incompatible with public policy if it violates a party's constitutional rights.

If there is found to be a conflict with federal law, DSHS must submit a waiver request to federal HHS. If the requested waiver is denied, section 61 of this act is inoperative, with respect to sections 1 through 60 of this act, to the extent of any remaining conflict with federal law.

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