

FINAL BILL REPORT

SB 5793

C 124 L 15
Synopsis as Enacted

Brief Description: Providing credit towards child support obligations for veterans benefits.

Sponsors: Senators Darneille, Conway and O'Ban.

Senate Committee on Law & Justice
House Committee on Judiciary

Background: Veterans Administration (VA) benefits generally may not be garnished. However, federal statutes and regulations allow for the apportionment of VA benefits to provide spouses and dependents with financial support under some circumstances. The VA may apportion a veteran's pension or compensation benefits to the veteran's dependent children if the veteran is not paying a child support obligation. An apportionment will generally not be made if it would cause undue hardship to the veteran.

The Washington child support enforcement statutes provide that when the Social Security Administration pays disability dependency benefits, retirement benefits, or survivor's benefits on behalf of a child of a disabled, retired, or deceased person, those benefits must be credited toward the parent's child support obligations for the period for which benefits are paid. A similar provision gives a credit to the parent when worker's compensation benefits are paid by the Department of Labor and Industries on behalf of or on account of the parent's children. Currently the Division of Child Support is not authorized to grant credit to an obligor parent for the amounts of the parent's VA benefits that are apportioned by the VA on behalf of the parent's dependent children.

Summary: VA benefits that are apportioned to pay child support on behalf of a veteran's child must be credited to the satisfaction of the veteran's child support obligation for the period for which benefits are paid.

Votes on Final Passage:

Senate	49	0
House	97	0

Effective: July 24, 2015

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