
Civil Rights & Judiciary Committee

HB 1397

Brief Description: Concerning day care expenses paid by child support.

Sponsors: Representatives Klippert, Walsh, Chase, Chambers and Eslick.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires an obligee to provide documentation of day care expenses to an obligor who contributes to all or a portion of daycare expenses, if requested.
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Hearing Date: 2/9/21

Staff: Ingrid Lewis (786-7289).

Background:

Child support obligations are established through the court or an administrative process with the Department of Social and Health Services (DSHS). Child support obligations are based on the child support schedule, which includes an economic table. The economic table establishes a presumptive basic child support amount based on the combined monthly net income of the parents and the number and ages of the children. All income and resources of each parent's household must be disclosed and considered by the court when determining the child support obligation of each parent. Each parent's share of the presumptive amount is based on each parent's share of the combined monthly net income.

Day care and special child rearing expenses, such as tuition and transportation costs associated with visitation, are not included in the economic table. These expenses are shared by the parents in the same proportion as the basic child support obligation. The court may include extraordinary expenses such as day care in the monthly support payment that one parent (the

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"obligor") must make to the other parent (the "obligee"). In other cases, the obligor must pay his or her share when the extraordinary expense is incurred. If the obligor pays court or administratively ordered day care or child rearing expenses that are not actually incurred, the obligee must reimburse the obligor for the overpayment, if the overpayment amounts to at least 20 percent of the obligor's annual day care or special child rearing expenses.

Summary of Bill:

If requested, an obligee must provide documentation of day care expenses to an obligor who contributes to all or a portion of daycare expenses. Documentation may be in the form of a receipt or other similar documentation if the care provider is a licensed day care provider. If the provider is a license-exempt day care provider, documentation may be in the form of a statement from the provider signed under penalty of perjury. The statement must include the terms of the day care arrangement, including charges and the day care schedule.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.