
HOUSE BILL 1297

State of Washington

69th Legislature

2025 Regular Session

By Representatives Walen, Ormsby, Fey, Simmons, and Hill; by request of Department of Social and Health Services

Read first time 01/14/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to reporting self-employed workers to the
2 division of child support; amending RCW 26.23.060, 74.20A.080, and
3 74.20A.350; reenacting and amending RCW 26.23.020; adding a new
4 section to chapter 26.23 RCW; and providing an effective date.

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

6 **Sec. 1.** RCW 26.23.020 and 2023 c 248 s 2 are each reenacted and
7 amended to read as follows:

8 The definitions contained in RCW 74.20A.020 shall be incorporated
9 into and made a part of this chapter.

10 (1) "Disposable earnings" means that part of the earnings of an
11 individual remaining after the deduction from those earnings of an
12 amount required by law to be withheld.

13 (2) "Earnings" means compensation paid or payable for personal
14 services, whether denominated as wages, salary, commission, bonus, or
15 otherwise, and, notwithstanding any other provision of law making the
16 payments exempt from garnishment, attachment, or other process to
17 satisfy support obligations, specifically includes periodic payments
18 pursuant to pension or retirement programs, or insurance policies of
19 any type, but does not include payments made under Title 50 RCW,
20 except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.
21 Earnings shall specifically include all gain from capital, from

1 labor, or from both combined, not including profit gained through
2 sale or conversion of capital assets.

3 (3) "Employee" means a person in employment as defined in Title
4 50 RCW to whom an employer is paying, owes or anticipates paying
5 earnings as a result of services performed.

6 (4) "Employer" means any person or entity who pays or owes
7 earnings in employment as defined in Title 50 RCW to the responsible
8 parent including but not limited to the United States government, or
9 any state or local unit of government.

10 (5) "Lump sum payment" means income other than a periodic
11 recurring payment of earnings on regular paydays and does not include
12 reimbursement for expenses. Lump sum payment includes, but is not
13 limited to, discretionary and nondiscretionary bonuses, commissions,
14 performance bonuses, merit increases, safety awards, signing bonuses,
15 moving and relocation incentive payments, holiday pay, termination
16 pay, and severance pay. Lump sum payment also includes workers'
17 compensation, insurance settlements, and personal injury settlements
18 paid as replacement for wages owed.

19 (6) "Service provider" means any person:

20 (a) 18 years of age or older, a corporation with a sole
21 shareholder, or a limited liability company with a sole member;

22 (b) Who is not an employee of the service recipient; and

23 (c)(i) Who contracts or provides services for compensation to a
24 service recipient doing business in this state in an amount equal to
25 or greater than \$600 in the calendar year;

26 (ii) Who logs in as a driver to the digital network of a
27 transportation network company doing business in this state or a
28 company operating a network in this state to facilitate delivery of
29 food, goods, or services to persons seeking those services; or

30 (iii) Who logs in as a service provider to a digital platform
31 company doing business in this state or a company operating a network
32 in this state to facilitate the performance of services to persons
33 seeking those services.

34 (7) "Service recipient" means:

35 (a) A person doing business in the state of Washington who, as
36 part of that business, enters into a contract for services with a
37 service provider or receives services from a service provider; or

38 (b) A person doing business in this state as a company that
39 maintains a digital network to facilitate services by:

1 (i) Transportation network company drivers or drivers delivering
2 food, goods, or services to a person seeking those services; or
3 (ii) Others who meet the definition of a service provider.

4 (8) "Support order" means a superior court order or
5 administrative order, as defined in RCW 74.20A.020.

6 NEW SECTION. Sec. 2. A new section is added to chapter 26.23
7 RCW to read as follows:

8 (1) All service recipients shall report to the Washington state
9 support registry:

10 (a) The hiring or use of a service provider to whom the service
11 recipient:

12 (i) Pays \$600 or more to the service provider in a calendar year;
13 or

14 (ii) Enters into a contract with the service provider for \$600 or
15 more in a calendar year; and

16 (b) The date on which the service provider first performed, or is
17 anticipated to perform, services for pay for the service provider.

18 (2) Service recipients shall report by any means authorized by
19 the Washington state support registry which will result in timely
20 reporting.

21 (3) Service recipients shall submit reports to the Washington
22 state support registry within 20 days of the earlier of:

23 (a) Paying, or anticipating paying, \$600 or more to the service
24 provider in a calendar year; or

25 (b) Entering into a contract with the service provider for \$600
26 or more in a calendar year.

27 (4) The service recipient is not required to report the service
28 provider to the Washington state support registry if the service
29 recipient:

30 (a) Has previously reported the service provider to the
31 Washington state support registry; and

32 (b) Has paid the service provider within the previous 60 calendar
33 days.

34 (5) The report must contain the following information:

35 (a) The service provider's:

36 (i) Name;

37 (ii) Address;

38 (iii) Date of birth; and

1 (iv) Social security number or other identifying number assigned
2 under section 6109 of the internal revenue code of 1986;

3 (b) An indication that the person is being reported as a service
4 provider and not as an employee;

5 (c) The service recipient's:

6 (i) Name;

7 (ii) Address; and

8 (iii) Identifying number assigned under section 6109 of the
9 internal revenue code of 1986.

10 (6) If the division of child support sends an income withholding
11 order under this chapter or an order to withhold and deliver under
12 chapter 74.20A RCW to the service recipient regarding a child support
13 obligation owed by the service provider, the service recipient shall:

14 (a) Withhold from the payment or payments due to the service
15 provider according to the terms of the notice or order issued by the
16 division of child support; and

17 (b) Remit amounts withheld from the payment or payments to the
18 registry within seven days.

19 (7) A service recipient who fails to report as required under
20 this section shall be subject to a civil penalty of:

21 (a) \$25 per month per service provider; or

22 (b) \$500, if the failure to report is the result of a conspiracy
23 between the service recipient and the service provider not to supply
24 the required report, or to supply a false report. All violations
25 within a single month shall be considered a single violation for
26 purposes of assessing the penalty. The penalty may be imposed and
27 collected by the division of child support under RCW 74.20A.350.

28 (8) The registry shall retain or destroy reports it receives from
29 service recipients, as appropriate.

30 (a) The registry must retain the information for a particular
31 service provider only if the registry is responsible for
32 establishing, enforcing, or collecting a support debt of the service
33 provider. The registry may, however, retain information for a
34 particular service provider for as long as may be necessary to:

35 (i) Transmit the information to the national directory of new
36 hires as required under federal law; or

37 (ii) Provide the information to other state agencies for
38 comparison with records or information possessed by those agencies as
39 required by law.

1 (b) Information that is not permitted to be retained shall be
2 promptly destroyed. Agencies that obtain information from the
3 department of social and health services under this section shall
4 maintain the confidentiality of the information received, except as
5 necessary to implement the agencies' responsibilities.

6 (9) The secretary of the department of social and health services
7 may adopt rules to implement this section and may establish
8 exemptions if needed to reduce unnecessary or burdensome reporting,
9 such as:

10 (a) Working with service recipients on implementation strategies
11 that extend beyond the effective date of this section; or

12 (b) Developing a process a service recipient may use to request
13 an exception to the requirement.

14 **Sec. 3.** RCW 26.23.060 and 2023 c 248 s 3 are each amended to
15 read as follows:

16 (1) The division of child support may issue an income withholding
17 order:

18 (a) As authorized by a support order that contains a notice
19 clearly stating that child support may be collected by withholding
20 from earnings, wages, or benefits without further notice to the
21 obligated parent; or

22 (b) After service of a notice containing an income-withholding
23 provision under this chapter or chapter 74.20A RCW.

24 (2) The division of child support shall serve an income
25 withholding order upon a responsible parent's employer or upon the
26 employment security department for the state in possession of or
27 owing any benefits from the unemployment compensation fund to the
28 responsible parent pursuant to Title 50 RCW or from the paid family
29 and medical leave program under Title 50A RCW:

30 (a) In the manner prescribed for the service of a summons in a
31 civil action;

32 (b) By certified mail, return receipt requested;

33 (c) By electronic means if there is an agreement between the
34 secretary and the person, firm, corporation, association, political
35 subdivision, department of the state, or agency, subdivision, or
36 instrumentality of the United States to accept service by electronic
37 means; or

38 (d) By regular mail to a responsible parent's employer unless the
39 division of child support reasonably believes that service of process

1 in the manner prescribed in (a) or (b) of this subsection is required
2 for initiating an action to ensure employer compliance with the
3 withholding requirement.

4 (3) Service of an income withholding order upon an employer or
5 employment security department requires the employer or employment
6 security department to immediately make a mandatory payroll deduction
7 from the responsible parent's unpaid disposable earnings or benefits
8 paid by the employment security department. The amount to be withheld
9 stated in the income withholding order is as follows:

10 (a) If the income withholding order is not for a lump sum payment
11 under RCW 26.23.063, the employer or employment security department
12 shall thereafter deduct each pay period the amount stated in the
13 order divided by the number of pay periods per month. The payroll
14 deduction each pay period shall not exceed 50 percent of the
15 responsible parent's disposable earnings; or

16 (b) If the income withholding order is for a lump sum payment
17 under RCW 26.23.063, the employer shall withhold the lump sum payment
18 or the amount stated in the order, whichever is less, unless a
19 portion of the lump sum payment is disposable earnings. If a portion
20 of the lump sum payment is comprised of disposable earnings, 50
21 percent of the portion considered disposable earnings is not subject
22 to the income withholding order.

23 (4) An income withholding order for support shall have priority
24 over any wage assignment, garnishment, attachment, or other legal
25 process.

26 (5) The income withholding order shall be in writing and include:

27 (a) The name and social security number of the responsible
28 parent;

29 (b) The amount to be deducted from the responsible parent's
30 disposable earnings each month, or alternate amounts and frequencies
31 as may be necessary to facilitate processing of the payroll
32 deduction;

33 (c) A statement that the total amount withheld shall not exceed
34 50 percent of the responsible parent's disposable earnings;

35 (d) The address to which the payments are to be mailed or
36 delivered; and

37 (e) A notice to the responsible parent warning the responsible
38 parent that, despite the payroll deduction, the responsible parent's
39 privileges to obtain and maintain a license, as defined in RCW

1 74.20A.320, may not be renewed, or may be suspended if the parent is
2 not in compliance with a support order as defined in RCW 74.20A.320.

3 (6) An informational copy of the income withholding order shall
4 be mailed to the last known address of the responsible parent by
5 regular mail.

6 (7) An employer or employment security department that receives
7 an income withholding order shall make immediate deductions from the
8 responsible parent's unpaid disposable earnings and remit proper
9 amounts to the Washington state support registry within seven working
10 days of the date the earnings are payable to the responsible parent.

11 (8) An employer, or the employment security department, upon whom
12 an income withholding order is served, shall make an answer to the
13 division of child support within 20 days after the date of service.
14 The answer shall confirm compliance and institution of the payroll
15 deduction or explain the circumstances if no payroll deduction is in
16 effect. The answer shall also state whether the responsible parent is
17 employed by or receives earnings from the employer or receives
18 benefit payments from the employment security department, whether the
19 employer or employment security department anticipates paying
20 earnings or benefits and the amount of earnings or benefit payments.
21 If the responsible parent is no longer employed, or receiving
22 earnings from the employer, the answer shall state the present
23 employer's name and address, if known. If the responsible parent is
24 no longer receiving benefit payments from the employment security
25 department, the answer shall state the present employer's name and
26 address, if known.

27 The returned answer or a payment remitted to the division of
28 child support by the employer constitutes proof of service of the
29 income withholding order in the case where the order was served by
30 regular mail.

31 (9) The employer may deduct a processing fee from the remainder
32 of the responsible parent's earnings after withholding under the
33 income withholding order, even if the remainder is exempt under RCW
34 26.18.090. The processing fee may not exceed: (a) (~~Ten dollars~~) \$10
35 for the first disbursement made to the Washington state support
36 registry; and (b) one dollar for each subsequent disbursement to the
37 registry.

38 (10) The income withholding order shall remain in effect until
39 released by the division of child support, the court enters an order
40 terminating the income withholding order and approving an alternate

1 arrangement under RCW 26.23.050, or until 60 days after the employer
2 no longer employs the responsible parent and is no longer in
3 possession of or owing any earnings to the responsible parent. The
4 employer shall promptly notify the office of support enforcement when
5 the employer no longer employs the parent subject to the income
6 withholding order. For the employment security department, the income
7 withholding order shall remain in effect until released by the
8 division of child support or until the court enters an order
9 terminating the income withholding order.

10 (11) The division of child support must use income withholding
11 forms adopted and required by the United States department of health
12 and human services to take withholding actions under this section
13 whether the responsible parent is receiving earnings or unemployment
14 compensation in this state or in another state.

15 (12) For the purposes of this chapter and chapter 74.20A RCW, a
16 service recipient must honor an income withholding order or order to
17 withhold and deliver in the same manner as an employer. The actions
18 of withholding and remitting pursuant to an income withholding order
19 or order to withhold and deliver do not, by themselves, create an
20 employer-employee relationship between a service provider and service
21 recipient.

22 **Sec. 4.** RCW 74.20A.080 and 2021 c 35 s 17 are each amended to
23 read as follows:

24 (1) The secretary may issue to any person, firm, corporation,
25 association, political subdivision, department of the state, or
26 agency, subdivision, or instrumentality of the United States, an
27 order to withhold and deliver property of any kind, including but not
28 restricted to earnings which are or might become due, owing, or
29 belonging to the debtor, when the secretary has reason to believe
30 that there is in the possession of such person, firm, corporation,
31 association, political subdivision, department of the state, or
32 agency, subdivision, or instrumentality of the United States property
33 which is or might become due, owing, or belonging to said debtor.
34 Such order to withhold and deliver may be issued:

35 (a) At any time, if a responsible parent's support order:

36 (i) Contains notice that withholding action may be taken against
37 earnings, wages, or assets without further notice to the parent; or

1 (ii) Includes a statement that other income-withholding action
2 under this chapter may be taken without further notice to the
3 responsible parent;

4 (b) (~~Twenty-one~~) 21 days after service of a notice of support
5 debt under RCW 74.20A.040;

6 (c) (~~Twenty-one~~) 21 days after service of a notice and finding
7 of parental responsibility under RCW 74.20A.056;

8 (d) (~~Twenty-one~~) 21 days after service of a notice of support
9 owed under RCW 26.23.110;

10 (e) (~~Twenty-one~~) 21 days after service of a notice and finding
11 of financial responsibility under RCW 74.20A.055; or

12 (f) When appropriate under RCW 74.20A.270.

13 (2) The order to withhold and deliver shall:

14 (a) State the amount to be withheld on a periodic basis if the
15 order to withhold and deliver is being served to secure payment of
16 monthly current support;

17 (b) State the amount of the support debt accrued;

18 (c) State in summary the terms of RCW 74.20A.090 and 74.20A.100;

19 (d) Be served:

20 (i) In the manner prescribed for the service of a summons in a
21 civil action;

22 (ii) By certified mail, return receipt requested;

23 (iii) By electronic means if there is an agreement between the
24 secretary and the person, firm, corporation, association, political
25 subdivision, department of the state, or agency, subdivision, or
26 instrumentality of the United States to accept service by electronic
27 means;

28 (iv) By regular mail to a responsible parent's employer unless
29 the division of child support reasonably believes that service of
30 process in the manner prescribed in (d)(i) or (ii) of this subsection
31 is required for initiating an action to ensure employer compliance
32 with the withholding requirement; or

33 (v) By regular mail to an address if designated by the financial
34 institution as a central levy or garnishment address, and if the
35 notice is clearly identified as a levy or garnishment order. Before
36 the division of child support may initiate an action for
37 noncompliance with a withholding action against a financial
38 institution, the division of child support must serve the order to
39 withhold and deliver on the financial institution in the manner
40 described in (d)(i) or (ii) of this subsection.

1 (3) The division of child support must use income withholding
2 forms adopted and required by the United States department of health
3 and human services to take withholding actions under this section.

4 (4) Any person, firm, corporation, association, political
5 subdivision, department of the state, or agency, subdivision, or
6 instrumentality of the United States upon whom service has been made
7 is hereby required to:

8 (a) Answer said order to withhold and deliver within (~~twenty~~)
9 20 days, exclusive of the day of service, under oath and in writing,
10 and shall make true answers to the matters inquired of therein; and

11 (b) Provide further and additional answers when requested by the
12 secretary.

13 (5) The returned answer or a payment remitted to the division of
14 child support by the employer constitutes proof of service of the
15 order to withhold and deliver in the case where the order was served
16 by regular mail.

17 (6) Any such person, firm, corporation, association, political
18 subdivision, department of the state, or agency, subdivision, or
19 instrumentality of the United States in possession of any property
20 which may be subject to the claim of the department shall:

21 (a) (i) Immediately withhold such property upon receipt of the
22 order to withhold and deliver; and

23 (ii) Within seven working days deliver the property to the
24 secretary;

25 (iii) Continue to withhold earnings payable to the debtor at each
26 succeeding disbursement interval as provided for in RCW 74.20A.090,
27 and deliver amounts withheld from earnings to the secretary within
28 seven working days of the date earnings are payable to the debtor;

29 (iv) Deliver amounts withheld from periodic payments to the
30 secretary within seven working days of the date the payments are
31 payable to the debtor;

32 (v) Inform the secretary of the date the amounts were withheld as
33 requested under this section; or

34 (b) Furnish to the secretary a good and sufficient bond,
35 satisfactory to the secretary, conditioned upon final determination
36 of liability.

37 (7) An order to withhold and deliver served under this section
38 shall not expire until:

39 (a) Released in writing by the division of child support;

40 (b) Terminated by court order;

1 (c) A person or entity, other than an employer as defined in
2 Title 50 RCW, who has received the order to withhold and deliver does
3 not possess property of or owe money to the debtor; or

4 (d) (~~(A)~~) 60 days after an employer who has received the order
5 to withhold and deliver no longer employs, contracts, or owes money
6 to the debtor under a contract of employment, express or implied.

7 (8) Where money is due and owing under any contract of
8 employment, express or implied, or is held by any person, firm,
9 corporation, or association, political subdivision, or department of
10 the state, or agency, subdivision, or instrumentality of the United
11 States subject to withdrawal by the debtor, such money shall be
12 delivered by remittance payable to the order of the secretary.

13 (9) Delivery to the secretary of the money or other property held
14 or claimed shall satisfy the requirement and serve as full
15 acquittance of the order to withhold and deliver.

16 (10) A person, firm, corporation, or association, political
17 subdivision, department of the state, or agency, subdivision, or
18 instrumentality of the United States that complies with the order to
19 withhold and deliver under this chapter is not civilly liable to the
20 debtor for complying with the order to withhold and deliver under
21 this chapter.

22 (11) The secretary may hold the money or property delivered under
23 this section in trust for application on the indebtedness involved or
24 for return, without interest, in accordance with final determination
25 of liability or nonliability.

26 (12) Exemptions contained in RCW 74.20A.090 apply to orders to
27 withhold and deliver issued under this section.

28 (13) The secretary shall also, on or before the date of service
29 of the order to withhold and deliver, mail or cause to be mailed a
30 copy of the order to withhold and deliver to the debtor at the
31 debtor's last known post office address, or, in the alternative, a
32 copy of the order to withhold and deliver shall be served on the
33 debtor in the same manner as a summons in a civil action on or before
34 the date of service of the order or within two days thereafter. The
35 copy of the order shall be mailed or served together with a concise
36 explanation of the right to petition for judicial review. This
37 requirement is not jurisdictional, but, if the copy is not mailed or
38 served as in this section provided, or if any irregularity appears
39 with respect to the mailing or service, the superior court, in its
40 discretion on motion of the debtor promptly made and supported by

1 affidavit showing that the debtor has suffered substantial injury due
2 to the failure to mail the copy, may set aside the order to withhold
3 and deliver and award to the debtor an amount equal to the damages
4 resulting from the secretary's failure to serve on or mail to the
5 debtor the copy.

6 (14) An order to withhold and deliver issued in accordance with
7 this section has priority over any other wage assignment,
8 garnishment, attachment, or other legal process.

9 (15) The division of child support shall notify any person, firm,
10 corporation, association, or political subdivision, department of the
11 state, or agency, subdivision, or instrumentality of the United
12 States required to withhold and deliver the earnings of a debtor
13 under this action that they may deduct a processing fee from the
14 remainder of the debtor's earnings, even if the remainder would
15 otherwise be exempt under RCW 74.20A.090. The processing fee shall
16 not exceed (~~ten dollars~~) \$10 for the first disbursement to the
17 department and one dollar for each subsequent disbursement under the
18 order to withhold and deliver.

19 (16) For the purposes of this chapter and chapter 26.23 RCW, a
20 service recipient must honor an income withholding order or order to
21 withhold and deliver in the same manner as an employer. The actions
22 of withholding and remitting pursuant to an income withholding order
23 or order to withhold and deliver do not, by themselves, create an
24 employer-employee relationship between a service provider and service
25 recipient.

26 **Sec. 5.** RCW 74.20A.350 and 2021 c 35 s 19 are each amended to
27 read as follows:

28 (1) The division of child support may issue a notice of
29 noncompliance to any person, firm, entity, or agency of state or
30 federal government that the division believes is not complying with:

31 (a) An income withholding order issued under chapter 26.23 RCW;

32 (b) A lien, order to withhold and deliver, or assignment of
33 earnings issued under this chapter;

34 (c) Any other wage assignment, garnishment, attachment, or
35 withholding instrument properly served by the agency or firm
36 providing child support enforcement services for another state, under
37 Title IV-D of the federal social security act;

1 (d) A subpoena issued by the division of child support, or the
2 agency or firm providing child support enforcement for another state,
3 under Title IV-D of the federal social security act;

4 (e) An information request issued by the division of child
5 support, or the agency or firm providing child support enforcement
6 for another state under Title IV-D of the federal social security
7 act, to an employer or entity required to respond to such requests
8 under RCW 74.20A.360;

9 (f) The duty to report newly hired employees imposed by RCW
10 26.23.040; (~~(e)~~)

11 (g) The duty to report the hiring or use of a service provider
12 imposed by section 2 of this act; or

13 (h) The duty of a business, employer, or payroll processor that
14 has received an income withholding order from the department of
15 social and health services requiring payment to the Washington state
16 support registry to remit withheld funds by electronic means imposed
17 by RCW 26.23.065.

18 (2) Liability for noncompliance with a wage withholding,
19 garnishment, order to withhold and deliver, or any other lien or
20 attachment issued to secure payment of child support is governed by
21 RCW 26.23.090 and 74.20A.100, except that liability for noncompliance
22 with remittance time frames is governed by subsection (4) of this
23 section.

24 (3) Fines for noncompliance by a business, employer, or payroll
25 processor with the duty to remit withheld funds by electronic means
26 imposed by RCW 26.23.065 are governed by subsection (4)(c) of this
27 section.

28 (4) The division of child support may impose fines of up to (~~one~~
29 ~~hundred dollars~~) \$100 per occurrence for:

30 (a) Noncompliance with a subpoena or an information request
31 issued by the division of child support, or the agency or firm
32 providing child support enforcement services for another state under
33 Title IV-D of the federal social security act;

34 (b) Noncompliance with the required time frames for remitting
35 withheld support moneys to the Washington state support registry, or
36 the agency or firm providing child support enforcement services for
37 another state, except that no liability shall be established for
38 failure to make timely remittance unless the division of child
39 support has provided the person, firm, entity, or agency of state or
40 federal government with written warning:

1 (i) Explaining the duty to remit withheld payments promptly;
2 (ii) Explaining the potential for fines for delayed submission;
3 and
4 (iii) Providing a contact person within the division of child
5 support with whom the person, firm, entity, or agency of state or
6 federal government may seek assistance with child support withholding
7 issues;
8 (c) A business, employer, or payroll processor's noncompliance
9 with the duty to remit withheld funds by electronic means imposed by
10 RCW 26.23.065. The division of child support may not impose fines for
11 failure to comply with this requirement unless it has provided the
12 person, firm, entity, or agency of state or federal government with
13 written warning:
14 (i) Explaining the duty to remit withheld payments by electronic
15 means;
16 (ii) Explaining the potential for fines for failure to remit
17 withheld payments by electronic means when required under RCW
18 26.23.065; and
19 (iii) Providing a contact person within the division of child
20 support with whom the person, firm, entity, or agency of state or
21 federal government may seek assistance with child support withholding
22 issues.
23 (5) The division of child support may assess fines according to
24 RCW 26.23.040 and section 2 of this act for failure to comply with
25 ((employer)) reporting requirements.
26 (6) The division of child support may suspend licenses for
27 failure to comply with a subpoena issued under RCW 74.20.225.
28 (7) The division of child support may serve a notice of
29 noncompliance by personal service or by any method of mailing
30 requiring a return receipt.
31 (8) The liability asserted by the division of child support in
32 the notice of noncompliance becomes final and collectible on the
33 twenty-first day after the date of service, unless within that time
34 the person, firm, entity, or agency of state or federal government:
35 (a) Initiates an action in superior court to contest the notice
36 of noncompliance;
37 (b) Requests a hearing by delivering a hearing request to the
38 division of child support in accordance with rules adopted by the
39 secretary under this section; or

1 (c) Contacts the division of child support and negotiates an
2 alternate resolution to the asserted noncompliance or demonstrates
3 that the person, firm, entity, or agency of state or federal
4 government has complied with the child support processes.

5 (9) The notice of noncompliance shall contain:

6 (a) A full and fair disclosure of the rights and obligations
7 created by this section; and

8 (b) Identification of the:

9 (i) Child support process with respect to which the division of
10 child support is alleging noncompliance; and

11 (ii) State child support enforcement agency issuing the original
12 child support process.

13 (10) In an administrative hearing convened under subsection
14 (8)(b) of this section, the presiding officer shall determine whether
15 or not, and to what extent, liability for noncompliance exists under
16 this section, and shall enter an order containing these findings. If
17 liability does exist, the presiding officer shall include language in
18 the order advising the parties to the proceeding that the liability
19 may be collected by any means available to the division of child
20 support under subsection (13) of this section without further notice
21 to the liable party.

22 (11) Hearings under this section are governed by the
23 administrative procedure act, chapter 34.05 RCW.

24 (12) After the (~~twenty~~) 20 days following service of the
25 notice, the person, firm, entity, or agency of state or federal
26 government may petition for a late hearing. A petition for a late
27 hearing does not stay any collection action to recover the debt. A
28 late hearing is available upon a showing of any of the grounds stated
29 in civil rule 60 for the vacation of orders.

30 (13) The division of child support may collect any obligation
31 established under this section using any of the remedies available
32 under chapter 26.09, 26.18, 26.21A, 26.23, 74.20, or 74.20A RCW for
33 the collection of child support.

34 (14) The division of child support may enter agreements for the
35 repayment of obligations under this section. Agreements may:

36 (a) Suspend the obligation imposed by this section conditioned on
37 future compliance with child support processes. Such suspension shall
38 end automatically upon any failure to comply with a child support
39 process. Amounts suspended become fully collectible without further

1 notice automatically upon failure to comply with a child support
2 process;

3 (b) Resolve amounts due under this section and provide for
4 repayment.

5 (15) The secretary may adopt rules to implement this section.

6 NEW SECTION. **Sec. 6.** This act takes effect January 1, 2027.

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