
HOUSE BILL 1915

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kilduff and Gregerson; by request of Department of Social and Health Services

1 AN ACT Relating to increasing the annual fee for child support
2 enforcement services to implement federal program requirements; and
3 amending RCW 74.20.040.

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

5 **Sec. 1.** RCW 74.20.040 and 2012 1st sp.s. c 4 s 1 are each
6 amended to read as follows:

7 (1) Whenever the department receives an application for public
8 assistance on behalf of a child, the department shall take
9 appropriate action under the provisions of this chapter, chapter
10 74.20A RCW, or other appropriate statutes of this state to establish
11 or enforce support obligations against the parent or other persons
12 owing a duty to pay support moneys.

13 (2) The secretary may accept a request for support enforcement
14 services on behalf of persons who are not recipients of public
15 assistance and may take appropriate action to establish or enforce
16 support obligations against the parent or other persons owing a duty
17 to pay moneys. Requests accepted under this subsection may be
18 conditioned upon the payment of a fee as required by subsection (6)
19 of this section or through regulation issued by the secretary. The
20 secretary may establish by regulation, reasonable standards and

1 qualifications for support enforcement services under this
2 subsection.

3 (3) The secretary may accept requests for support enforcement
4 services from child support enforcement agencies in other states
5 operating child support programs under Title IV-D of the social
6 security act or from foreign countries, and may take appropriate
7 action to establish and enforce support obligations, or to enforce
8 subpoenas, information requests, orders for genetic testing, and
9 collection actions issued by the other agency against the parent or
10 other person owing a duty to pay support moneys, the parent or other
11 person's employer, or any other person or entity properly subject to
12 child support collection or information-gathering processes. The
13 request shall contain and be accompanied by such information and
14 documentation as the secretary may by rule require, and be signed by
15 an authorized representative of the agency. The secretary may adopt
16 rules setting forth the duration and nature of services provided
17 under this subsection.

18 (4) The department may take action to establish, enforce, and
19 collect a support obligation, including performing related services,
20 under this chapter and chapter 74.20A RCW, or through the attorney
21 general or prosecuting attorney for action under chapter 26.09,
22 26.18, 26.20, 26.21A, 26.26A, or ~~((26.26))~~ 26.26B RCW or other
23 appropriate statutes or the common law of this state.

24 (5) Whenever a support order is filed with the Washington state
25 support registry under chapter 26.23 RCW, the department may take
26 appropriate action under the provisions of this chapter, chapter
27 26.23 or 74.20A RCW, or other appropriate law of this state to
28 establish or enforce the support obligations contained in that order
29 against the responsible parent or other persons owing a duty to pay
30 support moneys.

31 ~~(6) (a) Effective October 1, 2019, the secretary ((, in the case of~~
32 ~~an individual who has never received assistance under a state program~~
33 ~~funded under part A and for whom the state has collected at least~~
34 ~~five hundred dollars of support,)) shall impose an annual fee of~~
35 ~~((twenty-five))~~ thirty-five dollars for each case in which services
36 are furnished ~~((, which))~~ where:

37 (i) The custodial parent has never received assistance under the
38 temporary assistance for needy families program, the aid for
39 dependent families and children program, or a tribal temporary
40 assistance for needy families program; and

1 (ii) The state has collected at least five hundred fifty dollars
2 of support.

3 (b) The annual fee shall be retained by the state from support
4 collected on behalf of the individual, but not from the first five
5 hundred fifty dollars of support.

6 (c) The secretary may, on showing of necessity, waive or defer
7 any such fee or cost.

8 (7) Fees, due and owing, may be retained from support payments
9 directly or collected as delinquent support moneys utilizing any of
10 the remedies in this chapter (~~(74.20 RCW)~~), chapter 74.20A (~~(RCW,~~
11 ~~chapter)~~) or 26.21A RCW, or any other remedy at law or equity
12 available to the department or any agencies with whom it has a
13 cooperative or contractual arrangement to establish, enforce, or
14 collect support moneys or support obligations.

15 (8) The secretary may waive the fee, or any portion thereof, as a
16 part of a compromise of disputed claims or may grant partial or total
17 charge off of said fee if the secretary finds there are no available,
18 practical, or lawful means by which said fee may be collected or to
19 facilitate payment of the amount of delinquent support moneys or fees
20 owed.

21 (9) The secretary shall adopt rules conforming to federal laws,
22 including but not limited to complying with section 7310 of the
23 federal deficit reduction act of 2005, 42 U.S.C. Sec. 654, and rules
24 and regulations required to be observed in maintaining the state
25 child support enforcement program required under Title IV-D of the
26 federal social security act. The adoption of these rules shall be
27 calculated to promote the cost-effective use of the agency's
28 resources and not otherwise cause the agency to divert its resources
29 from its essential functions.

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