
HOUSE BILL 2401

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Hunt, Hudgins, Upthegrove, Ormsby, Green, and Miloscia

Read first time 01/13/12. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to cost savings and efficiencies in mailing notices
2 of possible license suspension for noncompliance with child support
3 orders; and amending RCW 74.20A.320.

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

5 **Sec. 1.** RCW 74.20A.320 and 2009 c 408 s 1 are each amended to read
6 as follows:

7 (1)(a) The department may serve upon a responsible parent a notice
8 informing the responsible parent of the department's intent to submit
9 the parent's name to the department of licensing and any appropriate
10 licensing entity as a licensee who is not in compliance with a child
11 support order. (~~The department shall attach a copy of the responsible
12 parent's child support order to the notice.~~) If the support order
13 establishing or modifying the child support obligation includes a
14 statement required under RCW 26.23.050 that the responsible parent's
15 privileges to obtain and maintain a license may not be renewed or may
16 be suspended if the parent is not in compliance with a support order,
17 the department may send the notice required by this section to the
18 responsible parent by first-class mail, addressed to the responsible
19 parent's last known mailing address on file with the department,

1 postage prepaid, or by personal service. Notice by first-class mail is
2 deemed served three days from the date the notice was deposited with
3 the United States postal service.

4 (b) If the support order does not include a statement as required
5 under RCW 26.23.050 that the responsible parent's privileges to obtain
6 and maintain a license may not be renewed or may be suspended if the
7 parent is not in compliance with a support order, service of the notice
8 required by this section to the responsible parent must be by certified
9 mail, return receipt requested. If service by certified mail is not
10 successful, service shall be by personal service.

11 (c) The department shall provide a copy of the child support order
12 to the responsible parent upon the responsible parent's request.

13 (2) The notice of noncompliance must include the following
14 information:

15 (a) The address and telephone number of the department's division
16 of child support office that issued the notice;

17 (b) That in order to prevent the department from certifying the
18 parent's name to the department of licensing or any other licensing
19 entity, the parent has twenty days from receipt of the notice to
20 contact the department and:

21 (i) Pay the overdue support amount in full;

22 (ii) Request an adjudicative proceeding as provided in RCW
23 74.20A.322;

24 (iii) Agree to a payment schedule with the department as provided
25 in RCW 74.20A.326; or

26 (iv) File an action to modify the child support order with the
27 appropriate court or administrative forum, in which case the department
28 will stay the certification process up to six months;

29 (c) That failure to contact the department within twenty days of
30 receipt of the notice will result in certification of the responsible
31 parent's name to the department of licensing and any other appropriate
32 licensing entity for noncompliance with a child support order. Upon
33 receipt of the notice:

34 (i) The licensing entity will suspend or not renew the parent's
35 license and the department of licensing will suspend or not renew any
36 driver's license that the parent holds until the parent provides the
37 department of licensing and the licensing entity with a release from

1 the department stating that the responsible parent is in compliance
2 with the child support order;

3 (ii) The department of fish and wildlife will suspend a fishing
4 license, hunting license, occupational licenses, such as a commercial
5 fishing license, or any other license issued under chapter 77.32 RCW
6 that the responsible parent may possess, and suspension of a license by
7 the department of fish and wildlife may also affect the parent's
8 ability to obtain permits, such as special hunting permits, issued by
9 the department. Notice from the department of licensing that a
10 responsible parent's driver's license has been suspended shall serve as
11 notice of the suspension of a license issued under chapter 77.32 RCW;

12 (d) That suspension of a license will affect insurability if the
13 responsible parent's insurance policy excludes coverage for acts
14 occurring after the suspension of a license;

15 (e) If the responsible parent subsequently comes into compliance
16 with the child support order, the department will promptly provide the
17 parent and the appropriate licensing entities with a release stating
18 that the parent is in compliance with the order.

19 (3) When a responsible parent who is served notice under subsection
20 (1) of this section subsequently complies with the child support order,
21 a copy of a release stating that the responsible parent is in
22 compliance with the order shall be transmitted by the department to the
23 appropriate licensing entities.

24 (4) The department of licensing and a licensing entity may renew,
25 reinstate, or otherwise extend a license in accordance with the
26 licensing entity's or the department of licensing's rules after the
27 licensing entity or the department of licensing receives a copy of the
28 release specified in subsection (3) of this section. The department of
29 licensing and a licensing entity may waive any applicable requirement
30 for reissuance, renewal, or other extension if it determines that the
31 imposition of that requirement places an undue burden on the person and
32 that waiver of the requirement is consistent with the public interest.

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