Appendix 7: Federal & State Child Support Legislative History

SFY

2025

ESA Briefing Book

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Passed During the 2025 Legislative Session, but not Implemented during SFY 2025 (July 1, 2024 to June 30, 2025)

Engrossed House Bill (EHB) 1014 (Chapter 227, Laws of 2025) – Implementing recommendations of the 2023 child support schedule work group. This bill enacts several consensus recommendations of the 2023 child support schedule workgroup. It increases the self-support reserve to 180% of the one-person federal poverty guideline, expands the economic table to combined net monthly income of $50,000, effective January 1, 2026. It also creates an abatement of child support for incapacity, effective April 1, 2027.

House Bill (HB) 2039 (Chapter 402, Laws of 2025) – Concerning child support pass through. This bill delays implementation of the 100% child support pass through enacted via ESHB 1652 (Chapter 174, Laws of 2024) until July 1, 2029.

Child Support Federal Legislative History, 1950 – 2025

2025

Public Law 118-258 **"Supporting America's Children and Families Act",** Title II, permits tribal child support agencies to access the Federal Tax Refund Offset Program to collect past-due child support payments from the federal tax refunds of non-custodial parents. Title II also explicitly authorizes state and tribal child support agencies to disclose certain tax return information to contractors to establish and collect child support obligations from, and to locate, individuals owing child support obligations.

The Final Rule entitled **"Employment and Training Services for Noncustodial Parents in the Child Support Program"** was published on December 13, 2024, in the Federal Register, Volume 89, Number 240, on page 100789, effective January 13, 2025. The rule allows state and tribal child support agencies the option to use federal financial participation available under Title IV-D of the Social Security Act to provide employment and training services to eligible noncustodial parents, as long as requirements around eligibility and non-duplication of services are followed.

2024

The Final Rule entitled **"Modifications to Performance Standards During National Disasters and Other Calamities"** was published on March 4, 2024, in the Federal Register, Volume 89, Number 43, on page 15475. Effective March 4, 2024, the final rule provides the Secretary of HHS with ongoing authority to provide targeted and time-limited relief to states from certain child support program performance penalties when natural disasters and other calamities impact program operations. The rule sets the process by which states request and OCSS may adjust performance standards to avoid imposing financial penalties on states and modify requirements to avoid imposing penalties due to adverse data reliability audit findings.

The Final Rule entitled **"Elimination of the Tribal Non-Federal Share Requirement"** was published on February 12, 2024, in the Federal Register, volume 89, Number 29, on page 9784. Effective federal fiscal year 2025, tribal child support agencies do not have to pay the non-federal share of program expenditures.

2023

The Final Rule entitled **"Privacy Act; Implementation"** was published on July 28, 2023, in the Federal Register, Volume 88, Number 144, on page 48736, effective July 28, 2023. This rule establishes a Privacy Act exemption for records marked with the Family Violence Indicator (FVI) in the Federal Case Registry of Child Support Orders system of records. It aligns the Social Security Act restriction on disclosure with the federal Privacy Act requirement that exemptions from disclosure be established by regulation.

2022

The Final Rule entitled **"Paternity Establishment Percentage Performance Relief"** was published on May 27, 2022, in the Federal Register, Volume 87, Number 103, on page 32090. Effective May 27, 2022, the final rule modifies the Paternity Establishment Percentage performance threshold from 90% to 50% for federal fiscal years 2020, 2021, and

2022. The relief period ends with federal fiscal year 2023 when the rate returns to 90%.

2021

Public Law 116-315, the "Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020", included provisions that authorized the Secretaries of Labor and Veterans Affairs to access the National Directory of New Hires for purposes of tracking employment of veterans.

Public Law 117-2, the "American Rescue Plan Act of 2021," section 9601, provided economic impact payments of up to $1,400 for qualifying individuals. The economic impact payments under **ARPA** were exempt from intercept for past due child support. Section 9611 of the Act provided advance child tax credit monthly payments of up to $250 to 300 per child for qualifying taxpayers.

2020

The Final Rule entitled "Child Support Technical Corrections" was published on June 9, 2020, in the Federal Register, Volume 85, Number 111, on page 35201. The rule went into effect on July 9, 2020. The rule removed outdated regulatory requirements and made technical fixes to rule language, addresses, outdated references, and so forth. It also made clarifying technical amendments to the Flexibility Rule (originally published on December 20, 2016) regarding compliance dates, case closure reasons, and timeframes must follow when reporting wage information to the National Directory of New Hires.

Public Law 116-136, the "Coronavirus Aid, Relief, and Economic Security [CARES] Act", section 2201, provided qualifying individuals with a recovery rebate of up to $1,200 (or $2,400 if married and filing jointly), plus up to $500 for each qualifying child.

While the Act intentionally exempted these rebates from reduction or offset against certain debts, it did not exempt child support debt. As a result, the economic impact payments made to eligible individuals who owed past-due child support and who were subject to intercept under the Federal Income Tax Refund Offset Program were offset by the amount of past-due child support. Because these economic impact payments were treated as a tax refund offset, and not an administrative offset, the Act did not provide state child support programs the option to suspend federal tax refund offset in cases meeting the eligibility criteria under section 464 of the Social Security Act and 45 CFR 303.72.

2018

Public Law 115-123, the "Bipartisan Budget Act of 2018", included a policy requirement that all state child support agencies increase the annual user fee from $25 after the first $500 is sent to the family in the federal fiscal year to $35 after the first $550 is disbursed to the family in the federal fiscal year.

2016

The final rule entitled "Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs", known as the "Flexibility rule," was published on December 20, 2016 in the Federal Register, Volume 81, Number 244, on page 93492, and took effect on January 19, 2017. The Flexibility Rule contained both mandatory and optional provisions to be adopted by states, with differing implementation dates. These requirements may have been implemented by statute or policy, according to each state's process.

Highlights of the changes under the Flexibility Rule included:

- Notice requirements regarding "continuation of services" when a family is no longer eligible for assistance under the state's title IV-A, IV-E foster care, and Medicaid programs.
- Clarification of who is and is not allowed to receive child support collections.
- New considerations for the determination of child support amounts which are more focused on the circumstances of the individual family for whom support is being established; these considerations also apply to modification and adjustment of orders.
- New guidelines for the use of civil contempt for nonpayment of child support, including screening for information regarding the noncustodial parent's ability to pay or otherwise comply with the order.
- Providing that incarceration of the obligor for more than 180 calendar days is a basis for modification or adjustment of existing child support orders (not a guarantee of a change in support, but a guarantee of a chance to ask for it).
- New and modified criteria for case closure.
- Requirement that a parent who provides "public health care coverage" is considered to be in compliance with the requirement to provide health care coverage for a child.

2015

The IRS Interim Final Rule entitled Offset of Tax Refund Payments to Collect Past-Due Support was published on December 30, 2015, in the Federal Register, Volume 80, Number 250, page 81463. The interim final rule went into effect on January 1, 2016 and amended 31 CFR 285.3. Under the interim final rule, the Bureau of the Fiscal Service has a 6-month period in which they can recover and recoup erroneous offsets from states. After the 6-month period, Fiscal Service may not deduct the amount of an erroneous payment from a state's future collections if the state has already forwarded the offset funds to the family.

2014

Public Law 113-183, the "Preventing Sex Trafficking and Strengthening Families Act", made changes to Title IV-D of the Social Security Act to require states to adopt verbatim the 2008 version of the Uniform Interstate Family Support Act (UIFSA), as well as other changes intended to improve interstate and international child support recovery. This law grants Indian tribes access to the Federal Parent Locator Service and expresses the sense of Congress that establishing parenting plans (child custody arrangements) when obtaining child support orders is "an important goal which should be accompanied by strong family violence safeguards," and that states should use existing funding sources to support the establishment of parenting time arrangements. This law also made changes to Title IV-E (Foster Care and Adoption Assistance) regarding children or youth in state care or in kinship care, which may have child support impacts.

2013

Public Law 133-37, the "Department of Veterans Affairs Expiring Authorities Act of 2013", including provisions renewing the authority of the Secretary of Veterans Affairs to access the National Directory of New Hires to obtain information on individuals applying for certain veteran benefits and services. The authority started September 30, 2013, and ended 180 days later.

2011

Public Law 112-40, the "Trade Adjustment Assistance Extension Act of 2011", amended Section 453 of the Social Security Act to provide a definition of the term "newly-hired employee," a term which was not previously defined in the federal laws concerning employer reporting.

2010

Public Law 111-291, the "Claims Resolution Act of 2010", made changes to employer reporting requirements. Under this new provision, employers were now required to report, among other elements, the date that an employee first performs services for pay.

Public Law 111-148, the "Patient Protection and Affordable Care Act", enacted health insurance coverage requirements for parents without making corresponding amendments in the medical support requirements under Title IV-D of the Social Security Act.

The Final Rule entitled "Intergovernmental Child Support" was published on July 2, 2010, in the Federal Register, Volume 75, Number 127, page 38612. It went into effect on January 3, 2011. It revised federal requirements for establishing and enforcing intergovernmental support obligations in IV-D cases.

The Final Rule entitled "Safeguarding Child Support Information" was published on December 29, 2010, in the Federal Register, Volume 75, Number 249, on page 81894. The rule went into effect on December 30, 2010. It (1) prohibits disclosure of confidential and personally identifiable information to private child support collection agencies, (2) addresses release of information to IV-B and IV-E agencies to assist state child welfare agencies in carrying out their programs, and (3) allows disclosure of information, including child support payment records, to the SNAP program.

2009

Public Law 111-5, the "American Recovery and Reinvestment Act of 2009 (ARRA)", temporarily restored states' ability to claim federal matching funds for federal performance incentives earned. States could request matching funds from October 1, 2008, to September 30, 2010.

2008

Public Law 110-351, the Fostering Connections to Success and Increasing Adoptions Act of 2008, added child welfare programs authorized in Titles IV-B and IV-E of the Social Security Act to the list of programs that have access to the National Directory of New Hires and Federal Parent Locator Service databases. This change effectively allowed IV-B and IV-E programs to include requests for locate services for information about relatives of children placed in the child welfare system, not just people with known or alleged parental rights to the children.

The Final Rule entitled "Final Rule on the Child Support Provisions in the Deficit Reduction Act

of 2005" was published on December 9, 2008, in the Federal Register, Volume 73, Number 237, page 74898. The rule went into effect on February 9, 2009. The final rule addresses: (1) use of the Federal Tax Refund Offset program to collect past-due child support for children who are not minors; (2) mandatory review and adjustment of child support orders for families receiving TANF; (3) change to federal reimbursement rates for some services; (4) state options to pay more collections to former-TANF families; and (5) the mandatory $25 annual fee.

The Final Rule entitled "State Parent Locator Service; Safeguarding Child Support Information" was published on September 26, 2008, in the Federal Register, Volume 73, Number 188, on page 56422. The final rule prescribes requirements for state parent locator service responses to authorized location requests and state IV-D agency safeguarding of confidential information and authorized disclosures of this information.

The Final Rule entitled "Child Support Enforcement Program Medical Support" was published on July 21, 2008, in the Federal Register, Volume 73, Number 140, page 42416. It went into effect on July 21, 2008. It addresses: (1) the definition of medical support; (2) requires that all support orders in the IV-D program address medical support; (3) requires states consider health insurance available to either parent; (3) redefines health insurance that is available at "reasonable cost"; (4) requires health insurance coverage to be "accessible"; (5) allows states to close child-only Medicaid cases under certain circumstances; and (6) makes changes to compliance requirements for audit purposes.

2007

Public Law 110-157, the "Dr. James Allen Veteran Vision Equity Act of 2007", allows the Secretary of Veterans Affairs to access data in the National Directory of New Hires to obtain information on individuals applying for certain veteran benefits and services. This authority initially expired on September 30, 2011.

2006

Public Law 109-250, the "Returned Americans Protection Act of 2006", granted access to data in the National Directory of New Hires to the state agencies that administer the Food Stamp program (pre-cursor to SNAP) for the purposes of administering that program.

Public Law 109-171, the "Deficit Reduction Act of 2005 (DRA)", made major funding and program changes to the child support and TANF programs. Significant provisions of the DRA included: the elimination of pre-assistance assignment, no longer requiring families to assign all of their past-due support rights to the state when they receive TANF; requirements that all child support orders include a provision that either or both parents must provide medical support; and that states may enforce medical support obligations against the custodial parent. Additionally, states were also required to provide services to collect co-pays, deductibles, and un-reimbursed medical expenses collected on behalf of a child. IV-D agencies were also required to impose an annual fee of $25 on cases where the custodial parent has never received TANF and at least $500 has been sent to the family. States were also allowed to choose to pass-through support to families on public assistance, eliminate pre-1997 and post-1997 assignments, and eliminate the distribution exception to intercepted IRS

collections, in order for more money to go directly to families. The DRA also eliminated states' ability to claim federal matching funds for performance incentives earned. In addition, the DRA created a new federal grants program available for fatherhood and marriage initiatives.

2005

Public Law 109-8, the "Bankruptcy Abuse Prevention and Consumer Protection Act of 2005" (effective October 17, 2005), contained several provisions which allowed child support to continue to be enforced even if a debtor had filed bankruptcy. Child support claims were given priority. Proceedings related to child support for income withholding, license suspension, credit bureau reporting, tax refund intercepts, and enforcement of medical obligations were made exempt from automatic stay provisions. Bankruptcy trustees were required to notify the claim holder and the child support agency of the debtor's last known address.

2004

Public Law 108-295, the "SUTA Dumping Prevention Act", directed the Secretary of HHS to disclose information on individuals and their employers in the National Directory of New Hires to a state agency that, for purposes of administering state or federal unemployment compensation law, sends those individuals' names and social security numbers to the Secretary, but only to the extent that disclosure would not interfere with effective operation of the Title IV-D program.

Public Law 108-199, the **Consolidated Appropriations Act, 2004**, provides for limited information sharing between the National Directory of New Hires and specified housing assistance programs in order to determine the employment and income of housing program participants.

1999

Public Law 106-169, the "Foster Care Independence Act of 1999", narrowed the hold harmless provision for state share distribution of collected child support.

Public Law 106-113, the "Consolidated Appropriations Act of 2000", contained several provisions affecting child support. Section 454A of the Social Security Act was amended requiring state child support automated data processing and information retrieval systems to disclose to Private Industry Councils (PICs) certain information on noncustodial parents for the purpose of contacting them regarding their participation in the welfare-to-work program. The Act also provided that if a state plan would be disapproved for failure to establish a disbursement unit for child support payments, but the state had submitted, by April 1, 2000, a corrective compliance plan acceptable to the Secretary, then the Secretary would not disapprove the state plan for spousal and child support, but the amount otherwise payable to the state would be reduced as a penalty.

The Act also required the Secretary of State, in consultation with the Secretary of Health and Human Services, to submit a report to Congress on the feasibility of lowering the threshold amount of an individual's support arrearage from $5000 to $2500 before the Secretary of State would refuse to issue a passport to such an individual.

1998

Public Law 105-306, the "Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998", included technical amendments to CSPIA that reduced by 20% the penalty for state failure to meet the deadline for compliance with child support data processing and information retrieval requirements. This law also amended the effective date for state enactment of certain medical support requirements.

Public Law 105-200, the "Child Support Performance and Incentive Act of 1998", known as CSPIA, provided penalties for failure to meet data processing requirements, reformed incentive payments and provided penalties for violating inter-jurisdictional adoption requirements. Incentive payments were based on paternity establishment, order establishment, current support collected, cases paying past due support, and cost effectiveness and on a percentage of collections. Incentive payments had to be reinvested in the state's child support program.

Public Law 105-187, the "Deadbeat Parents Punishment Act of 1998", established felony violations for the willful failure to pay legal child support obligations in interstate cases.

1997

Public Law 105-89, the "Adoption and Safe Families Act of 1997", made the Federal Parent Locator Service available to child welfare services for enforcement of custody and support orders.

Public Law 105-34, the "Taxpayer Relief Act of 1997", amended the Social Security Act by requiring, beginning October 1, 1999, the Federal Case Registry of Child Support Orders to include the names and Social Security Numbers of children on whose behalf child support is owed, and that such information also be included in state case registries. Furthermore, the Secretary of the Treasury would have access to the Federal Case Registry of Child Support Orders for the purpose of administering the tax provisions that grant tax benefits based on support or residence of a child.

Public Law 105-33, the "Balanced Budget Act of 1997", made a number of amendments to the Social Security Act, including creating the Children's Health Insurance Program in Title XXI to help provide medical coverage to children of working poor families, who were not eligible for private health insurance and who were earning too much to receive Medicaid. The Balanced Budget Act also amended section 454 of the Social Security Act regarding cooperation/good cause, and the Federal Parent Locater Service language in section 453 to clarify the authority permitting certain re-disclosures of wage and claim information. Also, this Act authorized for the first time the direct funding of Tribal support programs, with Congress giving the Office of Child Support Enforcement (OCSE) greater flexibility in providing direct funding for such programs and requiring OCSE to make known regulations before issuing grants directly to Tribes.

1996

Title III of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Public Law 104-193) abolished Aid to Families with Dependent Children (AFDC) and established Temporary Assistance for Needy Families (TANF). Each state was required to operate a **Title IV-D child**

support program to be eligible for TANF funds. States had to comply with numerous changes in child support services. Many of those changes included enhanced child support enforcement tools, such as license suspension for non-payment of support; the financial institution data match; requiring states to adopt the Uniform Interstate Family Support Act (UIFSA) of 1996; and the adoption of federal withholding forms.

1995

Public Law 104-35 extended the deadline by two years for states to have an automated data processing and information retrieval system. The 90% match was not extended.

1994

Public Law 103-432, the "Social Security Act Amendments of 1994", required states to periodically report debtor parents to consumer reporting agencies.

Public Law 103-403, the "Small Business Administration Amendments of 1994", rendered delinquent child support payers ineligible for small business loans.

Public Law 103-394, the "Bankruptcy Reform Act of 1994", did not stay a paternity, child support or alimony proceeding. Child support and alimony were made priority claims.

Public Law 103-383, the "Full Faith and Credit for Child Support Orders Act", required states to enforce other states' administrative and court orders if (1) the issuing state's tribunal had subject matter jurisdiction to enter an order, (2) has personal jurisdiction over the parties, and (3) reasonable notice and opportunity to be heard was given to the parties. The issuing tribunal retained continuing exclusive jurisdiction over the order as long as the child or at least one party resided in the issuing state, unless the tribunal of another state had modified the support order (in accordance with the law). However, the power for a tribunal to modify another state's support order was restricted.

1993

Public Law 103-66, the "Omnibus Budget Reconciliation Act of 1993", required states to establish paternity on 75% of the children on their caseload instead of 50%. States had to adopt civil procedures for voluntary acknowledgement of paternity. The law also required states to adopt laws to ensure medical compliance in orders.

1992

Public Law 102-537, the "Ted Weiss Child Support Enforcement Act of 1992", amended the Fair Credit Reporting Act to include child support delinquencies in credit reporting.

Public Law 102-521, the "Child Support Recovery Act of 1992", imposed a federal criminal penalty for the willful failure to pay child support in interstate cases.

1990

Public Law 101-508, the "Omnibus Budget Reconciliation Act of 1990", permanently extended the federal provision for IRS tax refund offsets for child and spousal support.

1989

Public Law 101-239, the "Omnibus Budget Reconciliation Act of 1989", made permanent the requirement that Medicaid continue for four months after termination from AFDC.

1988

Public Law 100-485, the "Family Support Act of 1988", emphasized the duties of parents to work and support their children, underscoring the importance of child support as the first line of defense against welfare dependence. States were required to: 1) develop mandatory support guidelines; 2) meet paternity standards; 3) respond to requests for services within specified time periods; 4) develop an automated tracking system; 5) provide immediate wage withholding; 6) have parents furnish Social Security numbers when a birth certificate is issued; 7) notify AFDC recipients of monthly collections. It also mandated annual reports to Congress and made changes to the $50 pass-through payment rules.

1987

Public Law 100-203, the "Omnibus Budget Reconciliation Act of 1987", required states to provide services to families with an absent parent when the family receives Medicaid, regardless of whether the family receives AFDC, and have them assign their support rights to the state.

1986

Public Law 99-509, the "Omnibus Budget Reconciliation Act of 1986", included an amendment that prohibited retroactive modification of child support awards.

1984

Public Law 98-378, the "Child Support Amendments of 1984", expanded federal oversight to increase uniformity among states. States were required to enact statutes to improve enforcement. Federal Financial Participation (FFP) rates were adjusted to encourage reliance on performance-based incentives. Audit provisions were altered to evaluate a state's effectiveness. States were required to improve their interstate enforcement. States were mandated to provide equal services for AFDC and non-AFDC families alike. Other provisions include a requirement for states to collect spousal maintenance when ordered in conjunction with child support, create child support guidelines to determine appropriate support amounts, and collect support on behalf of children in foster care when appropriate. At the federal level, the IRS was required to collect past-due support from tax refunds. HHS was required to issue regulations around medical support when available to the paying parent at reasonable cost.

Public Law 98-369, the "Deficit Reduction Act of 1984", required states to pass through to the family the first $50 of current monthly child support payments collected on behalf of an AFDC family and to disregard it as income for AFDC eligibility purposes. In Washington, the IV-A agency disbursed pass through payments under the 1984 DRA. It also amended two provisions in the Internal Revenue Code for alimony and child support.

1982

Public Law 97-253, the "Omnibus Budget Reconciliation Act of 1982", allowed access to information obtained under the Food Stamp Act of 1977.

Public Law 97-252, the "Uniformed Services Former Spouses' Protection Act", authorized military retirement or retainer pay to be treated as property. It also allowed for the payment of child and/or spousal support (as specified in a court order) from the military retirement or retainer pay.

Public Law 97-248, the "Tax Equity and Fiscal Responsibility Act of 1982", included several provisions affecting IV-D, including reducing the Federal Financial Participation (FFP) and incentives. In addition, Congress repealed the mandatory non-AFDC collection fee retroactive to 1981, making it an option. States were allowed to collect spousal support for non-AFDC cases. Military personnel were required to make allotments from their pay, if delinquent in their child support.

1981

Public Law 97-35, the "Omnibus Reconciliation Act of 1981", amended Title IV-D in five ways: 1) IRS was authorized to withhold tax refunds for delinquent child support; 2) IV-D agencies were permitted to collect spousal support for AFDC families; 3) IV-D agencies were required to collect fees from parents delinquent in child support; 4) obligations assigned to the state were no longer dischargeable in bankruptcy proceedings and 5) states were required to withhold a portion of unemployment for delinquent support.

1980

Public Law 96-272, the "Adoption Assistance and Child Welfare Act of 1980", amended the Social Security Act as follows: 1) Federal Financial Participation (FFP) for non-AFDC was made permanent; 2) states could receive incentives on interstate AFDC collections; and 3) states had to claim expenditures within two years.

Public Law 96-265, the "Social Security Disability Amendments of 1980", increased federal matching funds to 90% for automated systems. Matching funds were made available for court staff. IRS was authorized to collect arrearages for non-AFDC families. IV-D agencies were allowed access to wage data.

1978

Public Law 95-598, the "Bankruptcy Reform Act of 1978", repealed section 456(b) of the Social Security Act (42 USC §656(b)), which had barred the discharge in bankruptcy of assigned child support arrears. (PL 97-35 in 1981 restored this section.)

1977

Public Law 95-142, the "Medicare-Medicaid Antifraud and Abuse Amendments of 1977", enabled states to require Medicaid applicants to assign the state their rights to medical support. Incentives were made for states securing collections on behalf of other states.

Public Law 95-30, the "**Tax Reduction and Simplification Act of 1977"**, amended section 454 of the Social Security Act, including garnishment of federal employees, bonding employees who handled cash and changing incentive rates.

Public Law 95-171, "**An Act to extend certain Social Security Act provisions, and for other purposes",** made changes to provisions governing distribution of child support for former AFDC families. The state could retain any additional amount of support beyond the monthly ordered amount for cost recovery purposes. Once all assistance had been reimbursed, any additional support beyond the monthly support payment was also to be paid to the family.

1976

Public Law 94-566, the "Unemployment Compensation Amendments of 1976", required state employment agencies to provide

addresses of obligated parents to state child support agencies.

1974

Public Law 93-647, the "Social Services Amendments of 1974", created Title IV-D of the Social Security Act, the child support program. The program was designed for cost recovery of state and federal outlays on public assistance and for cost avoidance to help families leave welfare and to help families avoid turning to public assistance.

1967

Public Law 90-248, the "Social Security Amendments of 1967", allowed states access to IRS for addresses of obligated parents. Each state was required to establish a single child support unit for AFDC children. States were required to work cooperatively.

1965

Public Law 89-97, the "Social Security Amendments of 1965", allowed welfare agencies to obtain addresses and employers of obligated parents from the U.S. Department of Health, Education and Welfare.

1950

Public Law 81-734, the "Social Security Act Amendments of 1950", added section 402(a)(11) to the Social Security Act (42 USC 602(a)(11)). The law required state welfare agencies to notify law enforcement officials when providing AFDC to a child. The Uniform Reciprocal Enforcement of Support Act (URESA) was approved.

Washington State Child Support Legislative History, 1987 - 2025

2025

Engrossed Substitute House Bill (ESHB) 1652 (Chapter 174, Laws of 2024). This bill directs DSHS to pass through current child support collected each month to families receiving Temporary Assistance to Needy Families (TANF) and disregard child support passed through to families when determining eligibility and benefit amounts for applicants and recipients. Originally effective January 1, 2026, but delayed to July 1, 2029, under HB 2039 (Chapter 402, Laws of 2025).

2024

Senate Bill (SB) 5842 (Chapter 126, Laws of 2024), *Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt*. Effective June 6, 2024, this bill required the Division of Child Support (DCS) to minimize the use of claimant social security numbers reported directly to DCS by insurance companies complying with RCW 26.23.037, unless the claimant cannot be identified by DCS using the claimant's full name, date of birth, and current physical address

2023

House Bill (HB) 1262 (Chapter 248, Laws of 2023), *Lump Sum Reporting System.* Effective July 23, 2023, this agency request legislation adopted a model act that requires employers to report lump sum payments like bonuses, commissions, or other one-time payments greater than $500 to the Division of Child Support (DCS) at least 14 days before payment. This reporting requirement only applies for employees with an outstanding income withholding order for child support arrears. DCS will then notify the employer whether any portion of the lump sum payment should be withheld and remitted to the Washington State Support Registry.

2022

Substitute House Bill (SHB) 1416 (Chapter 168, Laws of 2021), Concerning the reporting of debt information by insurers to enhance the collection of past-due child support. This bill required insurers to report claims to the Division of Child Support in advance of any payout. This provided DCS with the opportunity to determine whether the claimant has unpaid child support debt and issue a lien before the insurer remits payment. This new requirement is expected to increase child support collections. This bill took effect January 1, 2022.

House Bill (HB) 2050 (Chapter 145, Laws of 2022), *Repealing requirements for parent payment of the cost of their child's support, treatment, and confinement.* Effective June 9, 2022, this bill removed the requirement that parents must pay a portion of the cost of their child's support, treatment, and confinement in Department of Children Youth and Family Juvenile Rehabilitation facilities. Also removed the authority for a court to order parents to pay for or contribute to detention costs for their children.

2021

Substitute House Bill (SHB) 1171 (Chapter 35, Laws of 2021), *Amending child support income withholding provisions to comply with federal requirements*. This Department request

legislation made technical changes to income withholding statutes to update outdated language regarding income withholding by employers, which will ensure statutory language accurately references the federally mandated "Income Withholding Order" form. This bill took effect July 25, 2021.

Second Substitute Senate Bill (2SSB) 5144 (Chapter 349, Laws of 2020), ***Implementing child support pass-through payments.*** Effective February 1, 2021 this bill reinstated child support pass-through for families receiving Temporary Assistance for Needy Families. Child support collections are passed through up to $50 per month for TANF families with one child, and up to $100 per month for families with two or more children. These amounts do not count against a family's TANF grant; however, it is factored into their food benefit eligibility.

2020

Substitute House Bill (SHB) 2302 (Chapter 227, Laws of 2020), ***Concerning child support with respect to standards for determination of income, abatement of child support for incarcerated obligors, modification of administrative orders, and notices of support owed,*** made a number of changes impacting the administration of child support based in large part on consensus recommendations from the 2019 Child Support Schedule Workgroup.

This legislation made changes to the child support schedule regarding how income is imputed and whether a high school student is voluntarily unemployed, allows the Office of Administrative Hearings to mail the notices of hearing in petitions to modify administrative support orders, allows the Division of Child Support to serve the notice of support owed by regular mail, rather than by certified mail, and earlier than waiting for twelve months to pass, in order to help keep support from being overpaid or underpaid.

This legislation also allowed for abatement of child support to $10 per support order when a parent is incarcerated for a period exceeding 6 months and has no income or assets to pay support. Abatement is intended to help parents who have been incarcerated avoid recidivism and to assist their re-entry and reintegration into society by avoiding the accumulation of significant child support arrears while incarcerated. The custodial parent is entitled to a hearing to rebut the presumption that the noncustodial parent does not have the ability to pay support while incarcerated. The monthly support obligation is automatically raised to 50% of the amount in the original support order on the first day of the fourth month after the noncustodial parent's release and the obligation automatically increases to 100% of the obligation in the original order one year after release.

The abatement provisions took effect February 1, 2021, as does the "notice of hearing" provision since it was included in one of the statutes amended by the abatement provisions. The other two provisions (income determination and the changes to the notice of support owed) took effect June 11, 2020.

2019

Engrossed Substitute House Bill (ESHB) 1916 (Chapter 275, Laws of 2019), ***Improving the delivery of child support services to families,*** took effect on July 28, 2019, but was not implemented until October 1, 2019 (the first day of the federal fiscal year). Section 4 of ESHB 1916 increased the annual fee for "never-assistance" child support enforcement services

pursuant to the requirements of the continuing resolution to fund the federal government [Public Law 115-123, the Bipartisan Budget Act of 2018; Section 53117]. The federal act included a policy requirement that all state child support agencies increase the annual user fee to $35, based on the amount of support collected in any federal fiscal year for families which never received AFDC, TANF or Tribal TANF; in addition, the act required states to increase the threshold amount of support collections that triggers the annual fee from $500 to $550. This law also made changes to RCW 26.19.025, the statute which deals with the state's federally required review of the child support guidelines every four years. Section 1 of ESHB 1916 made changes based on the amendments to 45 CFR 302.56(h) made by the *Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs* rule (the "Flexibility rule," which was published on December 20, 2016, in the Federal Register, Volume 81, Number 244, on page 93492, and were effective January 19, 2017).

Different parts of the Flexibility Rule had different required implementation dates; the adoption of a new Economic Table in the Washington state Child Support Schedule (Chapter 26.19 RCW) in the 2018 legislative session triggered the change to the information that must be considered in the child support guidelines review which commences after the statutory change. Because of the federal implementation requirements, Washington was required to enact the changes in the 2019 legislative session. Based on the combination of the required date for amending the statute, the timing of the commencement of the quadrennial review, and the effective date of the legislation, ESHB 1916 took effect on July 28, 2019, but did not have legal impact until the start of the 2023 Child Support Schedule Workgroup. However, the 2019 Workgroup, which was convened in January of 2019, agreed to be bound by the spirit of these changes.

Substitute Senate Bill (SSB) 5333 (Chapter 46, Laws of 2019), ***Uniform parentage act – various provisions,*** made technical corrections to various provisions of the Uniform Parentage Act, which were also adopted by SSB 6334 (Chapter 6, Laws of 2018, effective January 1, 2019), and discussed below.

Changes included:

- "Unrepealing" sections dealing with judicial proceedings based on an acknowledgment of parentage and removing references to the establishment of administrative support orders based on affidavits of paternity filed before July 1, 1997.
- Restoring language that a support debt owed to the state for public assistance is not merged or extinguished by an order without notice to DCS.
- Clarifying the crimes which preclude a perpetrator from seeking a parentage determination.

Engrossed Substitute Senate Bill (ESSB) 6037 (Chapter 6, Laws of 2018, effective January 1, 2019) *Concerning the uniform parentage act.* Adopted the most recent version of the Uniform Parentage Act. In addition to terminology changes (from "paternity" to "parentage"), this act:

- Added new ways to establish a parent-child relationship.
- Re-defined the presumption of parentage.

- Codified the establishment of *de facto* parentage.
- Changed the rules on who can sign an acknowledgment of parentage.
- Allowed paid surrogacy for the first time in Washington state.

2018

House Bill (HB) 2208 (Chapter 19, Laws of 2018) ***Authorizing criminal background investigations for current and prospective employees and contractors with access to federal tax information*** allowed for background checks of current and prospective employees, as well as contractors with the state of Washington, who are or may be authorized by the agency for which he or she is employed to access federal tax information, pursuant to the requirements of Internal Revenue Service (IRS) safeguarding requirements and with the state plan under Title IV-D of the federal Social Security Act. Implementation of this act is ongoing.

Substitute Senate Bill (SSB) 6334 (Chapter 150, Laws of 2018) ***Concerning child support, but only including a parent's obligation to provide medical support, use of electronic funds transfers, notice of noncompliance, adoption of the economic table recommended by the child support work group, and references to the federal poverty level in self-support reserve limitations.,*** contained sections that were effective June 7, 2018 (Sections 101-110) and sections that were effective January 1, 2019 (Sections 201 – 401). This bill:

- Made changes to medical child support obligations required by the federal Flexibility Rule (discussed above).
- Required that a business, employer, or payroll processor remit withheld funds by electronic means with certain waiver and exception provisions.
- Adopted a new Economic Table for the Washington state Child Support Schedule (Chapter 26.19 RCW).
- Clarified that references to the Federal Poverty Level, used in determining the Self-Support Reserve, meant "the federal poverty level for a one-person family."

2017

Substitute House Bill (SHB) 1543 (Chapter 234, Laws of 2017*), Parental Rights and Responsibilities of Sexual Assault Perpetrators and Survivors*, took effect on July 23, 2017. This bill established a process under the Uniform Parentage Act (UPA, Chapter 26.26 RCW) to adjudicate parental rights and obligations in cases in which the person seeking parental rights or presumed to be a legal parent is alleged to have committed a sexual assault against the child's parent and the child was conceived as the result of the sexual assault. "Sexual assault" means nonconsensual sexual penetration that results in pregnancy. If an allegation of sexual assault resulting in pregnancy is raised in the context of a parentage action, the court must conduct a fact-finding hearing on the allegation. If the court finds the person seeking parental rights or the presumed parent committed sexual assault of the child's parent, and that the child was born within 320 days, the court must either: **(1)** enter an order that the person seeking parental rights or presumed to be the parent is not a parent of the child, if requested by the child's legal parent or guardian; or **(2)** enter an order consistent with the relief requested by the

child's parent or legal guardian if it is in the best interests of the child. The order must include a requirement for payment of child support, birth-related costs, or both, if sought by the legal parent or guardian. If the legal parent or guardian declines an order for child support, even if the child currently or in the future receives public assistance, the order must provide that support enforcement agencies may not file administrative or court proceedings to establish or collect child support from the person who was found by the court to have committed the sexual assault.

Engrossed Substitute House Bill (ESHB) 1814 (Chapter 269, Laws of 2017), *Concerning notification requirements for the department of social and health services.* Took effect on July 23, 2017. This bill allowed the Department to serve certain notices by certified mail. Section 6 of the bill allows the Division of Child Support to serve a *Notice of Noncompliance and Intent to Suspend Licenses* by regular mail when the underlying support order contains statutorily required language warning of the possibility of license suspension for noncompliance with a child support order.

Substitute House Bill (SHB) 1815 (Chapter 276, Laws of 2017), *Rights of an Alleged Parent in Dependency Proceedings*, took effect on July 23, 2017. This bill was created with the intention to harmonize the definition of "parent" used in the Uniform Parentage Act (Chapter 26.26 RCW) and the Dependency statutes (Title 13 RCW). It defined "parent" as the biological or adoptive parent of a child, or an individual who has established a parent-child relationship under RCW 26.26.101, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to Washington law, or under the equivalent laws of another state or a federally recognized Indian tribe.

2015

Senate Bill (SB) 5793 (Chapter 124, Laws of 2015), *Providing Credit Towards Child Support Obligations for Veterans Benefits* took effect on July 24, 2015. This bill amended RCW 26.18.190 to provide that when "the veterans' administration apportions a veteran's benefits to pay child support on behalf of or on account of the child or children of the veteran, the amount paid for the child or children shall be treated for all purposes as if the veteran paid the benefits toward the satisfaction of that person's child support obligation for that period for which benefits are paid."

Engrossed Substitute Senat Bill (ESSB) 5498 (Chapter 214, Laws of 2015) *Revising the Uniform Interstate Family Support Act*, adopted the 2008 version of UIFSA pursuant to the requirements of Public Law 113-183, the Preventing Sex Trafficking and Strengthening Families Act, with an effective date of July 1, 2015.

2012

Substitute House Bill (SHB) 2828 (Chapter 4, Laws of 2012, 1st Special Session), *Removing the requirement that the department of social and health services or the department of early learning take appropriate action to establish or enforce support obligations whenever it receives an application for subsidized child care services or working connections child care services,* took effect on June 7, 2012. It removed the requirement first established in 2011 by **ESSB 5921 (Chapter 42, Laws of 2011, 1st Special Session)** that anyone applying for or

receiving subsidized child care or working connections child care services automatically creates an authorization for the department to provide child support services.

2011

Engrossed Second Substitute House Bill (E2SHB) 1267 (Chapter 283, Laws of 2011), ***Clarifying and expanding the rights and obligations of state registered domestic partners and other couples related to parentage,*** amended the state version of the Uniform Parentage Act. The bill used non-gender-specific terminology and referred to a "parent" instead of "mother" or "father," and "person" instead of "woman" or "man." An exception, based on the child support program's state plan under Title IV-D of the Social Security Act, was made for the paternity acknowledgment process, which provided that the mother of a child and a man claiming to be the genetic father of a child could sign an acknowledgment of paternity with intent to establish the man's paternity. This bill became effective July 22, 2011.

Engrossed Substitute Senate Bill (ESSB) 5921 (Chapter 42, Laws of 2011, 1st Special Session), ***Revising social services programs,*** included, among many other provisions, a provision that made it a condition of eligibility for childcare subsidy programs that the applicant or recipient must seek child support enforcement services from the Division of Child Support, unless DSHS finds the applicant or recipient has good cause not to cooperate.

Substitute Senate Bill (SSB) 6893 (Chapter 3, Laws of 2010, 2nd Special Session), ***Suspending the child support pass through payment,*** suspended the child support pass-through effective May 1, 2011.

2010

Substitute House Bill (SHB) 3016 (Chapter 279, Laws of 2010), ***Updating provisions concerning the modification, review, and adjustment of child support orders to improve access to justice and to ensure compliance with federal requirements,*** was enacted to clarify certain sections of the Revised Code of Washington (RCW) dealing with modification of child support orders. It provided that DSHS was required by federal law to review and modify child support orders, regardless of whether the family received public assistance and was already authorized to do so in other sections of the RCW but was now specifically authorized to take such actions in these sections. In addition, the bill allowed for telephonic appearances by parties to an action to modify or adjust a child support order. This bill became effective June 10, 2010.

Second Substitute House Bill (2SHB) 2603 (Chapter 194, Laws of 2010), ***Requiring agencies to give small businesses an opportunity to comply with a state law or agency rule before imposing a penalty,*** was enacted requiring a state agency to furnish a small business with a copy of any state statute or rule that it has failed to follow before the agency can impose a fine, civil penalty, or administrative penalty for noncompliance. This bill required DSHS to revise its forms used for noncompliance actions to provide small businesses with copies of the state statutes for which it may impose penalties for noncompliance. This bill became effective June 10, 2010.

2009

Substitute House Bill (SHB) 1845 (Chapter 476, Laws of 2009), *Concerning medical support obligations,* implemented federal regulations concerning medical child support obligations. All child support orders had to require both parents to provide medical support for any child named in the order. Medical support consisted of health insurance coverage and cash medical support, which consisted of a parent's proportionate share of uninsured medical expenses and, if the obligated parent did not provide health insurance coverage, could include a monthly payment toward the premium paid by the other parent or the state for coverage for the child. The court could waive the coverage requirement for one parent under appropriate circumstances. The requirement to contribute a parent's proportionate share of uninsured medical expenses could not be waived for either parent. This bill became effective October 1, 2009.

Engrossed Substitute House Bill (ESHB) 1794 (Chapter 84, Laws of 2009), *Concerning the calculation of child support,* implemented the recommendations of the 2007 child support schedule workgroup. It extended the economic table for the presumptive amount of support up to the combined monthly net income of $12,000, clarified that health care costs must be proportionately shared by both parents, defined basic support to exclude daycare and medical expenses, raised the presumptive minimum obligation to $50 per month per child, replaced "one person need standard" with the "self-support reserve" equal to 125% of the federal poverty guideline, clarified how to consider overtime and second job earnings, and updated the standards for deducting voluntary retirement contributions.

Substitute Senate Bill (SSB) 5166 (Chapter 408, Laws of 2009), *Modifying license suspension provisions for the failure to pay child support,* was enacted to amend existing sections and add new sections to chapter 74.20A RCW regarding the DCS license suspension program. In addition to revisions for clarity, the bill added a new section describing the administrative hearing available to a paying parent who has received a Notice of Noncompliance. The bill provides specific rulemaking authority for DSHS.

2008

Substitute Senate Bill (SSB) 5244 was enacted authorizing statutory changes needed to implement child support provisions of the federal Deficit Reduction Act of 2005. These included limiting child support assignment to the months that the family received TANF and "pass through" to the family of up to $100 per month for one child and $200 per month for two or more children. "Pass through" must be disregarded as income for the TANF program. Both these provisions become effective October 1, 2008. The bill also required DSHS to add language to all support orders requiring either or both parents to provide health insurance, collect unreimbursed medical expenses at the request of either parent, and allowed for the enforcement of medical support only cases against custodial Parents when appropriate.

2004

Engrossed Substitute House Bill 2554, (Chapter 183, Laws of 2004), *Support for Children with Disabilities*, amends chapters 13.34, 74.13, and 74.20A. RCW to resume the establishment and collection of child support by DCS for children with developmental disabilities in foster care starting July 1, 2004.

2002

House Bill (HB) 2346, (Chapter 302, Laws of 2002), *Updating the Uniform parentage Act*, updates chapter 26.26 RCW with the latest version of the uniform act adopted by the National Conference of Commissioners on Uniform State Laws. The changes made Washington law consistent with other states who adopted the 2001 version of the Uniform Parentage Act. The passage of Welfare Reform in 1996 created conflicts or tension in some areas of paternity establishment in the current UPA, such as instances where there are multiple presumed fathers for one child. The bill provides clarity to how those provisions interplay. The bill also specifically allows parents who have entered acknowledgments of paternity to address custody and visitation issues in court, which had been an issue under current law.

Senate Bill (SB) 5369 (Chapter 199, Laws of 2002), *Revising provisions for jurisdiction in child support matters*, includes provisions clarifying DCS's jurisdiction to establish support administratively. It grants custodial parents full party status in support establishment proceedings. Additionally, it allows service of process on prosecutors when they represent the State's interest in child support matters. It also allows DCS to serve orders to withhold and deliver on financial institutions by regular mail.

House Bill (HB) 2347 (Chapter 198, Laws of 2002), *Modifying the uniform interstate family support act*, updates chapter 26.21 to the newest version of the Uniform Interstate Family Support Act (UIFSA) adopted by the National Conference of Commissioners on Uniform State Laws. The bill went into effect six month after Congress authorized or required all states to adopt this version of UIFSA. The bill makes changes to the manner in which DCS registers and enforces support orders from other jurisdictions, and includes guidance on enforcing orders entered in foreign countries.

2000

House Bill (HB) 2579, (Chapter 86, Laws of 2000), Child Support --Enforcement amends multiple chapters in Title 26, 67, and 74 RCW, as well as, adding a new section to chapter 74.20A. RCW to implement provisions of the **Personal Responsibility and Work Opportunity Reconciliation Act** (PRWORA) of 1996.

1997

Engrossed House Bill (EHB) 3901, the Washington WorkFirst TANF Act, was signed into law on April 17, 1997. Among its many provisions, the legislation impacted DCS in the following ways: (1) The DCS non-cooperation sanction on public assistance recipients was replaced with a 25% grant reduction; (2) various child support enforcement remedies required by PWRORA were adopted; (3) the bill created the license suspension program for delinquent child support obligors and provided for license suspension as a sanction for a person or entity that fails to comply with a DCS withholding notice, lien, or subpoena.