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HOUSE BILL 1052

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State of Washington

65th Legislature

2017 Regular Session

By Representative Sawyer

Prefiled 01/03/17.

1 AN ACT Relating to repealing the requirement that credentialing  
2 authorities suspend a person's occupational credential for nonpayment  
3 or default of certain student loans; amending RCW 67.08.100; creating  
4 a new section; and repealing RCW 2.48.165, 18.04.420, 18.08.470,  
5 18.11.270, 18.16.230, 18.20.200, 18.27.360, 18.39.465, 18.43.160,  
6 18.44.460, 18.46.055, 18.76.100, 18.85.341, 18.96.190, 18.104.115,  
7 18.106.290, 18.130.125, 18.140.200, 18.145.125, 18.160.085,  
8 18.165.280, 18.170.163, 18.180.050, 18.185.055, and 28A.410.105.

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

10 NEW SECTION. **Sec. 1.** (1) The legislature finds that the policy  
11 of requiring state credentialing authorities to suspend a person's  
12 occupational credential, such as a license, certification, or  
13 registration, if the person has been certified by a lending agency  
14 and reported to the state credentialing authority for nonpayment or  
15 default on a federally or state-guaranteed education loan or service-  
16 conditional scholarship is misguided because losing an occupational  
17 credential may make it more difficult for the worker to repay a  
18 student loan. Further, as found by the July 2015 White House Report  
19 titled, *Occupational Licensing: A Framework for Policymakers*, this  
20 policy affects a large segment of the population because the student  
21 loan market has increased by one hundred seventy percent in

1 inflation-adjusted terms between the years 2000 and 2015, with  
2 roughly 1.1 trillion dollars in outstanding balances held by over  
3 forty-one million individuals as of the beginning of 2015. As of  
4 2016, there is roughly 1.3 trillion dollars in such outstanding  
5 balances held by over forty-four million individuals.

6 (2) The legislature finds that other states, including Montana  
7 and Iowa, have recently passed legislation or considered legislation  
8 to repeal their statutes that allow nonpayment or default of certain  
9 education loans to result in the suspension of a person's  
10 occupational credential. It is time for Washington to do the same.

11 NEW SECTION. **Sec. 2.** The following acts or parts of acts are  
12 each repealed:

13 (1) RCW 2.48.165 (Disbarment or license suspension—Nonpayment or  
14 default on educational loan or scholarship) and 1996 c 293 s 1;

15 (2) RCW 18.04.420 (License or certificate suspension—Nonpayment  
16 or default on educational loan or scholarship) and 1996 c 293 s 2;

17 (3) RCW 18.08.470 (Certificate or registration suspension—  
18 Nonpayment or default on educational loan or scholarship) and 1996 c  
19 293 s 3;

20 (4) RCW 18.11.270 (License, certificate, or registration  
21 suspension—Nonpayment or default on educational loan or scholarship)  
22 and 1996 c 293 s 4;

23 (5) RCW 18.16.230 (License suspension—Nonpayment or default on  
24 educational loan or scholarship) and 1996 c 293 s 5;

25 (6) RCW 18.20.200 (License suspension—Nonpayment or default on  
26 educational loan or scholarship) and 1996 c 293 s 6;

27 (7) RCW 18.27.360 (Certificate of registration suspension—  
28 Nonpayment or default on educational loan or scholarship) and 1996 c  
29 293 s 7;

30 (8) RCW 18.39.465 (License suspension—Nonpayment or default on  
31 educational loan or scholarship) and 1996 c 293 s 9;

32 (9) RCW 18.43.160 (Certificate of registration or license  
33 suspension—Nonpayment or default on educational loan or scholarship)  
34 and 1996 c 293 s 10;

35 (10) RCW 18.44.460 (License suspension—Nonpayment or default on  
36 educational loan or scholarship) and 1999 c 30 s 15 & 1996 c 293 s  
37 11;

1 (11) RCW 18.46.055 (License suspension—Nonpayment or default on  
2 educational loan or scholarship) and 1996 c 293 s 12;

3 (12) RCW 18.76.100 (Certificate suspension—Nonpayment or default  
4 on educational loan or scholarship) and 1996 c 293 s 13;

5 (13) RCW 18.85.341 (License suspension—Nonpayment or default on  
6 educational loan or scholarship) and 2008 c 23 s 30 & 1996 c 293 s  
7 14;

8 (14) RCW 18.96.190 (Certificate of licensure suspension—  
9 Nonpayment or default on educational loan or scholarship) and 2009 c  
10 370 s 16 & 1996 c 293 s 15;

11 (15) RCW 18.104.115 (License suspension—Nonpayment or default on  
12 educational loan or scholarship) and 1996 c 293 s 16;

13 (16) RCW 18.106.290 (Certificate or permit suspension—Nonpayment  
14 or default on educational loan or scholarship) and 1996 c 293 s 17;

15 (17) RCW 18.130.125 (License suspension—Nonpayment or default on  
16 educational loan or scholarship) and 1996 c 293 s 18;

17 (18) RCW 18.140.200 (Certificate, license, or registration  
18 suspension—Nonpayment or default on educational loan or scholarship)  
19 and 2005 c 339 s 16 & 1996 c 293 s 19;

20 (19) RCW 18.145.125 (Certificate suspension—Nonpayment or default  
21 on educational loan or scholarship) and 1996 c 293 s 20;

22 (20) RCW 18.160.085 (Certificate suspension—Nonpayment or default  
23 on educational loan or scholarship) and 1996 c 293 s 21;

24 (21) RCW 18.165.280 (License or certificate suspension—Nonpayment  
25 or default on educational loan or scholarship) and 1996 c 293 s 22;

26 (22) RCW 18.170.163 (License or certificate suspension—Nonpayment  
27 or default on educational loan or scholarship) and 1996 c 293 s 23;

28 (23) RCW 18.180.050 (Registration suspension—Nonpayment or  
29 default on educational loan or scholarship) and 1996 c 293 s 25;

30 (24) RCW 18.185.055 (License suspension—Nonpayment or default on  
31 educational loan or scholarship) and 1996 c 293 s 26; and

32 (25) RCW 28A.410.105 (Certificate or permit suspension—Nonpayment  
33 or default on educational loan or scholarship) and 1996 c 293 s 27.

34 **Sec. 3.** RCW 67.08.100 and 2012 c 99 s 6 are each amended to read  
35 as follows:

36 (1) The department upon receipt of a properly completed  
37 application and payment of a nonrefundable fee, may grant an annual  
38 license to an applicant for the following: (a) Promoter; (b) manager;

1 (c) boxer; (d) second; (e) wrestling participant; (f) inspector; (g)  
2 judge; (h) timekeeper; (i) announcer; (j) event physician; (k) event  
3 chiropractor; (l) referee; (m) matchmaker; (n) kickboxer; (o) martial  
4 arts participant; (p) training facility; and (q) amateur sanctioning  
5 organization.

6 (2) The application for the following types of licenses shall  
7 include a physical performed by a physician, as defined in RCW  
8 67.08.002, which was performed by the physician with a time period  
9 preceding the application as specified by rule: (a) Boxer; (b)  
10 wrestling participant; (c) kickboxer; (d) martial arts participant;  
11 and (e) referee.

12 (3) An applicant for the following types of licenses for the  
13 sports of boxing, kickboxing, and martial arts shall provide annual  
14 proof of certification as having adequate experience, skill, and  
15 training from an organization approved by the department, including,  
16 but not limited to, the association of boxing commissions, the  
17 international boxing federation, the international boxing  
18 organization, the Washington state association of professional ring  
19 officials, the world boxing association, the world boxing council, or  
20 the world boxing organization for boxing officials, and the united  
21 full contact federation for kickboxing and martial arts officials:  
22 (a) Judge; (b) referee; (c) inspector; (d) timekeeper; or (e) other  
23 officials deemed necessary by the department.

24 (4) No person shall participate or serve in any of the above  
25 capacities unless licensed as provided in this chapter.

26 (5) The referees, judges, timekeepers, event physicians,  
27 chiropractors, and inspectors for any boxing, kickboxing, or martial  
28 arts event shall be designated by the department from among licensed  
29 officials.

30 (6) The referee for any wrestling event shall be provided by the  
31 promoter and shall be licensed as a wrestling participant.

32 (7) The department shall immediately suspend the license or  
33 certificate of a person who has been certified pursuant to RCW  
34 74.20A.320 by the department of social and health services as a  
35 person who is not in compliance with a support order. If the person  
36 has continued to meet all other requirements for reinstatement during  
37 the suspension, reissuance of the license or certificate shall be  
38 automatic upon the department's receipt of a release issued by the  
39 department of social and health services stating that the licensee is  
40 in compliance with the order.

1           (8) (~~The director shall suspend the license of any person who~~  
2 ~~has been certified by a lending agency and reported to the director~~  
3 ~~for nonpayment or default on a federally or state-guaranteed~~  
4 ~~educational loan or service conditional scholarship. Prior to the~~  
5 ~~suspension, the agency must provide the person an opportunity for a~~  
6 ~~brief adjudicative proceeding under RCW 34.05.485 through 34.05.494~~  
7 ~~and issue a finding of nonpayment or default on a federally or state-~~  
8 ~~guaranteed educational loan or service conditional scholarship. The~~  
9 ~~person's license may not be reissued until the person provides the~~  
10 ~~director a written release issued by the lending agency stating that~~  
11 ~~the person is making payments on the loan in accordance with a~~  
12 ~~repayment agreement approved by the lending agency. If the person has~~  
13 ~~continued to meet all other requirements for licensure during the~~  
14 ~~suspension, reinstatement is automatic upon receipt of the notice and~~  
15 ~~payment of any reinstatement fee the director may impose.~~

16           ~~(9))~~ A person may not be issued a license if the person has an  
17 unpaid fine outstanding to the department.

18           ~~((10))~~ (9) A person may not be issued a license unless they are  
19 at least eighteen years of age.

20           ~~((11))~~ (10) This section shall not apply to contestants or  
21 participants in events at which only amateurs are engaged in contests  
22 and/or fraternal organizations and/or veterans' organizations  
23 chartered by congress or the defense department excluding any  
24 recognized amateur sanctioning body recognized by the department.  
25 Upon request of the department, a promoter, contestant, or  
26 participant shall provide sufficient information to reasonably  
27 determine whether this chapter applies.

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