
HOUSE BILL 2915

State of Washington

65th Legislature

2018 Regular Session

By Representatives Pike and Shea

1 AN ACT Relating to excluding veterans' disability related
2 compensation or benefits from consideration in determining child
3 support obligations; amending RCW 26.19.045 and 26.19.055; adding a
4 new section to chapter 26.18 RCW; and adding a new section to chapter
5 74.20A RCW.

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

7 **Sec. 1.** RCW 26.19.045 and 1991 c 367 s 30 are each amended to
8 read as follows:

9 The court may not include the following disability related
10 benefits or compensation paid by the veterans' administration in
11 gross income for purposes of calculating the child support obligation
12 or for purposes of deviation from the standard calculation, nor may
13 the court require disclosure of the benefits or compensation to the
14 court:

15 (1) Veterans' disability pensions or regular compensation for
16 disability incurred in or aggravated by service in the United States
17 armed forces (~~paid by the veterans' administration shall be~~
18 ~~disclosed to the court. The court may consider either type of~~
19 ~~compensation as disposable income for purposes of calculating the~~
20 ~~child support obligation.));~~

1 (2) Aid and attendant care payments to prevent hospitalization
2 paid by the veterans' administration solely to provide physical home
3 care for a disabled veteran((~~r~~)); and

4 (3) Special medical compensation paid under 38 U.S.C. Sec.
5 ((~~314~~)) 1114 (k) through ((~~r~~)) (t) to provide either special care
6 or special aids, or both, to assist with routine daily functions
7 ((shall also be disclosed. The court may not include either aid and
8 attendant care or special medical compensation payments in gross
9 income for purposes of calculating the child support obligation or
10 for purposes of deviating from the standard calculation)).

11 **Sec. 2.** RCW 26.19.055 and 1991 c 367 s 31 are each amended to
12 read as follows:

13 Payments from any source, other than ((veterans' aid and
14 attendance allowances or special medical compensation paid under 38
15 U.S.C. Sec. 314 (k) through (r))) those identified in RCW 26.19.045,
16 for services provided by an attendant in case of a disability when
17 the disability necessitates the hiring of the services of an
18 attendant shall be disclosed but shall not be included in gross
19 income and shall not be a reason to deviate from the standard
20 calculation.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 26.18
22 RCW to read as follows:

23 The disability related benefits or compensation paid by the
24 veterans' administration listed in RCW 26.19.045 are not subject to
25 garnishment or other collection action for enforcement of a child
26 support order under this chapter and all other applicable statutes.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.20A
28 RCW to read as follows:

29 The disability related benefits or compensation paid by the
30 veterans' administration listed in RCW 26.19.045 are not subject to
31 collection action by the department for support enforcement under
32 this chapter and all other applicable statutes.

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