
SECOND SUBSTITUTE SENATE BILL 5552

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Darneille, Kline, Chase, Nelson, Hasegawa, Kohl-Welles, Keiser, McAuliffe, and Shin)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to improving child support collections by requiring
2 reporting of compensation and establishing an intercept program; adding
3 a new section to chapter 26.23 RCW; adding a new section to chapter
4 9.46 RCW; adding a new section to chapter 67.16 RCW; creating a new
5 section; prescribing penalties; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that the state
8 has an interest in ensuring that children are supported by their
9 parents. It benefits the children and the state for the state to have
10 an effective child support enforcement program. Therefore, the
11 legislature intends to create new tools to increase the collection of
12 child support obligations.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.23 RCW
14 to read as follows:

15 (1) The department shall establish a gambling payment intercept
16 program to require licensees to withhold payments from winning players
17 who owe past due child support.

1 (2)(a) The department shall develop and maintain a gambling payment
2 intercept registry to allow licensees to determine if a winning player
3 owes past due child support.

4 (b) Information accessed through the registry is confidential.
5 Licensees shall not use information obtained from the registry except
6 as needed for the gambling payment intercept program and are subject to
7 criminal penalties for the misuse of information as provided in RCW
8 26.23.120.

9 (3) If a licensee is required to file Form W-2G or a substantially
10 equivalent form with the internal revenue service for a winning player
11 who owes past due child support, before the payment of winnings from
12 any gambling activity, the licensee:

13 (a) May deduct and retain an administrative fee in the amount of
14 the lesser of three percent of the amount of past due child support
15 withheld under (b) of this subsection; or one hundred dollars. If
16 funds are available, the administrative fee shall be in addition to the
17 amounts withheld in (b) of this subsection;

18 (b) Shall withhold the amount of past due child support owed from
19 the winnings and within twenty-four hours, transmit the amount
20 withheld; the full name, address, and social security number of the
21 obligor parent; and the date, amount of payment, and location of the
22 licensee to the department;

23 (c) Shall issue the obligor parent a receipt in a form prescribed
24 by the department with the total amount withheld for past due child
25 support and any administrative fee.

26 (4) Within two business days of receiving the withheld funds from
27 the licensee, the department shall notify the obligor parent at the
28 address provided by the licensee that the department intends to offset
29 the obligor parent's past due child support with the winnings and
30 provide the obligor parent with an opportunity to object.

31 (5) A licensee that makes payment under this section is not liable
32 to the person to whom the winner owes an outstanding debt.

33 (6) As used in this section, "licensee" means a licensee under
34 chapter 9.46 RCW, a class 1 association licensed to conduct parimutuel
35 wagering under RCW 67.16.105(2), or an operator of an advance deposit
36 wagering system licensed under RCW 67.16.260.

37 (7) The department shall work with the Washington state gambling

1 commission to include participation in the gambling payment intercept
2 program when the commission is negotiating tribal gaming compacts with
3 the tribes.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.46 RCW
5 to read as follows:

6 (1)(a) Any licensee authorized to conduct a gambling activity under
7 this chapter shall participate in the gambling payment intercept
8 program as required by section 2 of this act.

9 (b) Any licensee who fails to comply with section 2 of this act may
10 be subject to suspension of its license or monetary penalties under
11 this chapter.

12 (2) The commission shall consider the gambling payment intercept
13 program as provided in section 2 of this act as an element to be
14 negotiated with federally recognized Indian tribes as provided in RCW
15 9.46.360.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 67.16 RCW
17 to read as follows:

18 (1) Any class 1 association licensed to conduct parimutuel wagering
19 under RCW 67.16.105(2) and any operator of an advance deposit wagering
20 system licensed under RCW 67.16.260 shall participate in the gambling
21 payment intercept program as required by section 2 of this act.

22 (2) A licensee who fails to comply with section 2 of this act may
23 be subject to penalties as provided in RCW 67.16.270.

24 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2014.

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