

RCW 43.20B.095 Establishment and recovery of debts for the department of children, youth, and families. The department is authorized to establish and to recover debts for the department of children, youth, and families under this chapter pursuant to a contract between the department of children, youth, and families and the department that is entered into in compliance with the interlocal cooperation act, chapter 39.34 RCW. [2022 c 145 s 3; 2019 c 470 s 10.]

Purpose—Finding—2022 c 145: "(1) The purpose of this act is to repeal RCW 13.40.220 and 13.16.085, also known as the "parent pay" statutes, which require parents to pay a percentage of their gross income for the cost of their child's support, treatment, and confinement.

(2) The parent pay statutes essentially operate as a legal financial obligation assessed on parents for their child's incarceration. These laws disproportionately impact poorer parents and represent a dated policy and philosophy that is not aligned with current racial equity and social justice reforms. Pursuing these parents is unfair and takes advantage of people at their most vulnerable, undermining government credibility and the integrity of the legal process. Placing these parents in debt may also result in unstable home environments, deterring successful youth reentry back into the community.

(3) The legislature finds that eliminating parents' financial obligation to pay for their child's incarceration will advance racial equity and help to support a successful transition to adulthood for young people in juvenile detention and in the department's care." [2022 c 145 s 1.]

Application—2022 c 145: "(1) This act does not affect any moneys paid to the department of children, youth, and families or the courts before June 9, 2022. Any moneys already collected from a parent or other person legally obligated to care for and support a child under RCW 13.40.220 or 13.16.085 before June 9, 2022, will not be refunded to that person.

(2) On June 9, 2022:

(a) All pending actions or proceedings to recover debt owed by a parent or other person legally obligated to care for and support a child under RCW 13.40.220 or 13.16.085 shall be terminated with prejudice including, but not limited to, tax refund intercepts, federal and state benefit intercepts, wage garnishments, payment plans, and automatic bank account deductions;

(b) All outstanding debts or other obligations including, but not limited to, interest charges owed by a parent or other person legally obligated to care for and support a child under RCW 13.40.220 or 13.16.085 shall be canceled with prejudice, rendered null and void, and considered paid in full; and

(c) Any assignment of collection authority for debt owed under RCW 13.40.220 or 13.16.085 that was reported to a collection agency or out-of-state collection agency as defined in RCW 19.16.100 shall be recalled and terminated, and any outstanding debt shall be rendered null and void and considered paid in full.

(3) This act does not create a cause of action against the state of Washington." [2022 c 145 s 4.]