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**Juvenile Justice & Family Law  
Committee**

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**HB 2893**

**Brief Description:** Concerning restrictions on granting a sex offender visitation under a parenting plan.

**Sponsors:** Representatives Simpson, P. Sullivan, Darneille, Williams, McDonald, McCoy, Morrell, Ericks and Green.

**Brief Summary of Bill**

- Adds an additional restriction upon visitation with a child in cases where a parent resides with a person who has committed a sex offense against a child.

**Hearing Date:** 1/25/06

**Staff:** Kara Durbin (786-7133).

**Background:**

Under Washington law, divorcing couples with children must establish a parenting plan. The parenting plan establishes the rights and responsibilities of each parent. Each plan must include: &nbsp;(1) a dispute resolution process for handling disagreements between the parents; (2) an allocation of decision making authority to one or both parents for each child's education, health care and religious training; and (3) a schedule of when each child is to reside with each parent. &nbsp;

In establishing a parenting plan, the court may limit a parent's decision-making authority and limit or preclude residential time with a child based upon child abuse, neglect, abandonment, or a history of domestic violence.&nbsp;The court may also limit or preclude residential time if the parent resides with a person who has been convicted of a sex offense against a child.

In cases where a parent resides with a person who has been convicted of a sex offense against a child, there is a rebuttable presumption that the child is being placed at risk of abuse or harm when that parent exercises his or her residential time with the child in the presence of the convicted or adjudicated person. Unless the parent who resides with the convicted or adjudicated person rebuts the presumption, the court must restrain the parent from having contact with their child, except for contact that occurs outside of the convicted or adjudicated person's presence.

**Summary of Bill:**

In cases where a parent lives with a person who has been convicted or adjudicated of a sex offense against a child, a court must restrain the parent from having contact with the child unless the parent who resides with the convicted sex offender rebuts the presumption and the other parent agrees that contact with the parent in the presence of the convicted or adjudicated person will not place the child at risk of abuse or harm.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.