

2 **ESHB 1512** - S AMD

3 By Senators Talmadge, Hargrove, Fraser and Roach

4 ADOPTED 4/16/93

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 13.34.145 and 1989 1st ex.s. c 17 s 18 are each
8 amended to read as follows:

9 (1) In all cases where a child has been placed in substitute care
10 for at least fifteen months, the agency having custody of the child
11 shall prepare a permanency ((planning)) plan and present it in a
12 hearing ((shall-be)) held before the court no later than eighteen
13 months following commencement of the placement episode.

14 (2) At the permanency planning hearing, the court shall enter
15 findings as required by RCW 13.34.130((+4))(5). In addition the court
16 shall: (a) Approve a ((permanent plan of care)) permanency plan which
17 ((can)) shall include one of the following: Adoption, guardianship,
18 ((or)) placement of the child in the home of the child's parent,
19 relative placement with written permanency plan, or family foster care
20 with written permanency agreement; (b) require filing of a petition for
21 termination of parental rights; or (c) dismiss the dependency, unless
22 the court finds, based on clear, cogent, and convincing evidence, that
23 it is in the best interest of the child to continue the dependency
24 beyond eighteen months, based on ((a permanent plan of care)) the
25 permanency plan. Extensions may only be granted in increments of
26 twelve months or less.

27 **Sec. 2.** RCW 13.34.180 and 1990 c 246 s 7 are each amended to read
28 as follows:

29 A petition seeking termination of a parent and child relationship
30 may be filed in juvenile court by any party to the dependency
31 proceedings concerning that child. Such petition shall conform to the
32 requirements of RCW 13.34.040, shall be served upon the parties as
33 provided in RCW 13.34.070(7), and shall allege:

34 (1) That the child has been found to be a dependent child under RCW
35 13.34.030(2); and

1 (2) That the court has entered a dispositional order pursuant to
2 RCW 13.34.130; and

3 (3) That the child has been removed or will, at the time of the
4 hearing, have been removed from the custody of the parent for a period
5 of at least six months pursuant to a finding of dependency under RCW
6 13.34.030(2); and

7 (4) That the services ordered under RCW 13.34.130 have been offered
8 or provided and all necessary services, reasonably available, capable
9 of correcting the parental deficiencies within the foreseeable future
10 have been offered or provided; and

11 (5) That there is little likelihood that conditions will be
12 remedied so that the child can be returned to the parent in the near
13 future. In determining whether the conditions will be remedied the
14 court may consider, but is not limited to, the following factors:

15 (a) Use of intoxicating or controlled substances so as to render
16 the parent incapable of providing proper care for the child for
17 extended periods of time and documented unwillingness of the parent to
18 receive and complete treatment or documented multiple failed treatment
19 attempts;

20 (b) Psychological incapacity or mental deficiency of the parent
21 that is so severe and chronic as to render the parent incapable of
22 providing proper care for the child for extended periods of time, and
23 documented unwillingness of the parent to receive and complete
24 treatment or documentation that there is no treatment that can render
25 the parent capable of providing proper care for the child in the near
26 future; or

27 (c) Severe abuse of a child under age thirteen inflicted by a
28 parent, or by any person known by the parent, if the parent: (i) Knew
29 or should have known that the person was abusing the child; (ii) did
30 not intervene to protect the child; and (iii) was able to protect the
31 child. For the purposes of this subsection, "severe abuse" means any
32 of the following: Any single act of abuse that causes physical trauma
33 of sufficient severity that, if left untreated, could cause death; any
34 single act of sexual abuse that causes significant bleeding, deep
35 bruising, or significant external or internal swelling; or more than
36 one act of physical abuse, each of which causes bleeding, deep
37 bruising, significant external or internal swelling, bone fracture, or
38 unconsciousness; and

1 (6) That continuation of the parent and child relationship clearly
2 diminishes the child's prospects for early integration into a stable
3 and permanent home; or

4 (7) In lieu of the allegations in subsections (1) through (6) of
5 this section, the petition may allege that the child was found under
6 such circumstances that the whereabouts of the child's parent are
7 unknown and no person has acknowledged paternity or maternity and
8 requested custody of the child within two months after the child was
9 found.

10 A parent's failure to substantially improve parental deficiencies
11 within twelve months following entry of the dispositional order shall
12 give rise to a rebuttable presumption that there is little likelihood
13 that conditions will be remedied so that the child can be returned to
14 the parent in the near future. The presumption shall not arise unless
15 the state ensures that family reconciliation and other necessary
16 services have been provided to the parent.

17 Notice of rights shall be served upon the parent, guardian, or
18 legal custodian with the petition and shall be in substantially the
19 following form:

20 "NOTICE

21 A petition for termination of parental rights has been filed
22 against you. You have important legal rights and you must take
23 steps to protect your interests. This petition could result in
24 permanent loss of your parental rights.

25 1. You have the right to a fact-finding hearing before
26 a judge.

27 2. You have the right to have a lawyer represent you at
28 the hearing. A lawyer can look at the files in your case, talk
29 to the department of social and health services and other
30 agencies, tell you about the law, help you understand your
31 rights, and help you at hearings. If you cannot afford a
32 lawyer, the court will appoint one to represent you. To get a
33 court-appointed lawyer you must contact: _____ (explain local
34 procedure)_____.

35 3. At the hearing, you have the right to speak on your
36 own behalf, to introduce evidence, to examine witnesses, and to
37 receive a decision based solely on the evidence presented to
38 the judge.

1 You should be present at this hearing.

2 You may call (insert agency) for more information
3 about your child. The agency's name and telephone number are
4 (insert name and telephone number) ."

5 **Sec. 3.** RCW 13.34.190 and 1992 c 145 s 15 are each amended to read
6 as follows:

7 After hearings pursuant to RCW 13.34.110, the court may enter an
8 order terminating all parental rights to a child if the court finds
9 that:

10 (1) The allegations contained in the petition as provided in RCW
11 13.34.180 (1) through (6) are established by clear, cogent, and
12 convincing evidence; or

13 (2) RCW 13.34.180 (3) and (4) may be waived because the allegations
14 under RCW 13.34.180 (1), (2), (5), and (6) are established beyond a
15 reasonable doubt; or

16 (3) The allegation under RCW 13.34.180(7) is established beyond a
17 reasonable doubt. In determining whether RCW 13.34.180 (5) and (6) are
18 established beyond a reasonable doubt, the court shall consider whether
19 one or more of the ~~((following:~~

20 ~~(a) Conviction of the parent of rape of the child in the first,~~
21 ~~second, or third degree as defined in RCW 9A.44.073, 9A.44.076, and~~
22 ~~9A.44.079;~~

23 ~~(b) Conviction of the parent of criminal mistreatment of the child~~
24 ~~in the first or second degree as defined in RCW 9A.42.020 or 9A.42.030;~~

25 ~~(c) Conviction of the parent of one of the following assault~~
26 ~~crimes, when the child is the victim: Assault in the first or second~~
27 ~~degree as defined in RCW 9A.36.011 and 9A.36.021 or assault of a child~~
28 ~~in the first or second degree as defined in RCW 9A.36.120 or 9A.36.130;~~

29 ~~(d) Conviction of the parent of murder, manslaughter, or homicide~~
30 ~~by abuse of the child's other parent, sibling, or another child;~~

31 ~~(e) A finding by a court that a parent is a sexually violent~~
32 ~~predator as defined in RCW 71.09.020;~~

33 ~~(f) Failure of the parent to complete available treatment ordered~~
34 ~~under this chapter or the equivalent laws of another state, where such~~
35 ~~failure has resulted in a prior termination of parental rights to~~
36 ~~another child and the parent has failed to effect significant change in~~
37 ~~the interim)) aggravated circumstances listed in RCW 13.34.130(2)~~
38 exist; and

1 (4) Such an order is in the best interests of the child.

2 **Sec. 4.** RCW 13.34.232 and 1981 c 195 s 3 are each amended to read
3 as follows:

4 If the court has made a finding under RCW 13.34.231, it shall enter
5 an order establishing a guardianship for the child. The order shall:

6 (1) Appoint a person or agency to serve as guardian;

7 (2) Specify the guardian's rights and responsibilities concerning
8 the care, custody, and control of the child. A guardian shall not have
9 the authority to consent to the child's adoption;

10 (3) Specify an appropriate frequency of visitation between the
11 parent and the child; and

12 (4) Specify the need for any continued involvement of the
13 supervising agency and the nature of that involvement, if any.

14 The order shall not affect the child's status as a dependent child,
15 and the child shall remain dependent for the duration of the
16 guardianship.

17 **Sec. 5.** RCW 26.09.191 and 1989 c 375 s 11 and 1989 c 326 s 1 are
18 each reenacted and amended to read as follows:

19 (1) The permanent parenting plan shall not require mutual decision-
20 making or designation of a dispute resolution process other than court
21 action if it is found that a parent has engaged in any of the following
22 conduct: (a) Willful abandonment that continues for an extended period
23 of time or substantial refusal to perform parenting functions; (b)
24 physical, sexual, or a pattern of emotional abuse of a child; or (c) a
25 history of acts of domestic violence as defined in RCW 26.50.010(1) or
26 an assault or sexual assault which causes grievous bodily harm or the
27 fear of such harm.

28 (2)(a) If there is a conviction in a criminal action, or if a court
29 in an action under this chapter finds by clear and convincing evidence,
30 that a parent requesting residential time has sexually abused a child
31 living in the parent's household at any time during the parent's life
32 or any other child within the previous ten years, then there is a
33 rebuttable presumption that the court shall not allow residential time
34 to a parent and shall enter a permanent restraining order prohibiting
35 the parent from contacting the child directly or indirectly.

36 (b) The presumption may be rebutted only after a finding that:

1 (i) The offending parent has successfully engaged in court-approved
2 treatment for sexual offenders or is engaged in and making progress in
3 such treatment and the treatment provider believes such contact is
4 appropriate and poses minimal risk to the child;

5 (ii) If the child was sexually abused by the parent requesting
6 residential time and if the child is in or has been in therapy for
7 victims of sexual abuse, the child's counselor believes such contact
8 between the child and the offending parent is in the child's best
9 interest; and

10 (iii) An adequate plan for supervision of such residential time in
11 accordance with the provisions of this chapter has been approved by the
12 court.

13 (c) If the court finds that the presumption has been rebutted, the
14 court may allow a parent who has been found to have sexually abused a
15 child to have residential time with the child supervised by a neutral
16 and independent adult. Unless the nonoffending parent approves the
17 supervisor, the court shall make a finding that the proposed supervisor
18 is neutral, independent, willing to supervise, and capable of
19 intervening between the child and the parent if necessary. The court
20 shall enter findings of fact regarding the qualifications of the
21 appointed supervisor and shall notify the supervisor of the court's
22 requirements regarding supervision. The court may immediately remove
23 the supervisor from the supervisory role upon evidence being presented
24 that the supervisor failed to supervise the residential time
25 adequately.

26 (d) The parent's residential time with the child shall be limited
27 if it is found that the parent has engaged in any of the following
28 conduct: (i) Willful abandonment that continues for an extended period
29 of time or substantial refusal to perform parenting functions; (ii)
30 physical, sexual, or a pattern of emotional abuse of a child; or (iii)
31 a history of acts of domestic violence as defined in RCW 26.50.010(1)
32 or an assault or sexual assault which causes grievous bodily harm or
33 the fear of such harm.

34 ~~((b))~~ (e) The limitations imposed by the court shall be
35 reasonably calculated to protect the child from physical, sexual, or
36 emotional abuse or harm that could result if the child has contact with
37 the parent requesting residential time. If the court expressly finds
38 limitation on the residential time with the child will not adequately
39 protect the child from the harm or abuse that could result if the child

1 has contact with the parent requesting residential time, the court
2 shall restrain the parent requesting residential time from all contact
3 with the child. If the parent requesting residential time is currently
4 residing with another person who has a history of physical or sexual
5 abuse of a child, whether that person is an adult or a juvenile, the
6 court shall order that all residential time take place outside the
7 presence of that person.

8 ~~((e))~~ (f) Except as provided in (a), (b), and (c) of this
9 subsection, if the court expressly finds that contact between the
10 parent and the child will not cause physical, sexual, or emotional
11 abuse or harm to the child and that the probability that the parent's
12 harmful or abusive conduct will recur is so remote that it would not be
13 in the child's best interests to apply the limitations of ~~((a) and~~
14 ~~(b))~~ (d) and (e) of this subsection, or if the court expressly finds
15 the parent's conduct did not have an impact on the child, then the
16 court need not apply the limitations of ~~((a) and (b))~~ (d) and (e) of
17 this subsection. The weight given to the existence of a protection
18 order issued under chapter 26.50 RCW as to domestic violence is within
19 the discretion of the court.

20 (3) A parent's involvement or conduct may have an adverse effect on
21 the child's best interests, and the court may preclude or limit any
22 provisions of the parenting plan, if any of the following factors
23 exist:

24 (a) A parent's neglect or substantial nonperformance of parenting
25 functions;

26 (b) A long-term emotional or physical impairment which interferes
27 with the parent's performance of parenting functions as defined in RCW
28 26.09.004;

29 (c) A long-term impairment resulting from drug, alcohol, or other
30 substance abuse that interferes with the performance of parenting
31 functions;

32 (d) The absence or substantial impairment of emotional ties between
33 the parent and the child;

34 (e) The abusive use of conflict by the parent which creates the
35 danger of serious damage to the child's psychological development;

36 (f) A parent has withheld from the other parent access to the child
37 for a protracted period without good cause; or

38 (g) Such other factors or conduct as the court expressly finds
39 adverse to the best interests of the child.

1 (4) In entering a permanent parenting plan, the court shall not
2 draw any presumptions from the provisions of the temporary parenting
3 plan.

4 (5) In determining whether any of the conduct described in this
5 section has occurred, the court shall apply the civil rules of
6 evidence, proof, and procedure.

7 **Sec. 6.** RCW 26.10.160 and 1989 c 326 s 2 are each amended to read
8 as follows:

9 (1) A parent not granted custody of the child is entitled to
10 reasonable visitation rights except as provided in subsection (2) of
11 this section.

12 (2)(a) If there is a conviction in a criminal action, or if a court
13 in an action under this chapter finds by clear and convincing evidence,
14 that a parent requesting visitation has sexually abused a child living
15 in the parent's household at any time during the parent's life or any
16 other child within the previous ten years, then there is a rebuttable
17 presumption that the court shall not allow visitation to a parent and
18 shall enter a permanent restraining order prohibiting the parent from
19 contacting the child directly or indirectly.

20 (b) The presumption may be rebutted only after a finding that:

21 (i) The offending parent has successfully engaged in court-approved
22 treatment for sexual offenders or is engaged in and making progress in
23 such treatment and the treatment provider believes such contact is
24 appropriate and poses minimal risk to the child;

25 (ii) If the child was sexually abused by the parent requesting
26 visitation and if the child is in or has been in therapy for victims of
27 sexual abuse, the child's counselor believes such contact between the
28 child and the offending parent is in the child's best interest; and

29 (iii) An adequate plan for supervision of such visitation in
30 accordance with the provisions of this chapter has been approved by the
31 court.

32 (c) If the court finds that the presumption has been rebutted, the
33 court may allow a parent who has been found to have sexually abused a
34 child to have visitation with the child supervised by a neutral and
35 independent adult. Unless the nonoffending parent approves the
36 supervisor, the court must make a finding that the proposed supervisor
37 is neutral, independent, willing to supervise, and capable of
38 intervening between the child and the parent if necessary. The court

1 shall enter findings of fact regarding the qualifications of the
2 appointed supervisor and shall notify the supervisor of the court's
3 requirements regarding supervision. The court may immediately remove
4 the supervisor from the supervisory role upon evidence being presented
5 that the supervisor failed to supervise the residential time
6 adequately.

7 (d) Visitation with the child shall be limited if it is found that
8 the parent seeking visitation has engaged in any of the following
9 conduct: (i) Willful abandonment that continues for an extended period
10 of time or substantial refusal to perform parenting functions; (ii)
11 physical, sexual, or a pattern of emotional abuse of a child; or (iii)
12 a history of acts of domestic violence as defined in RCW 26.50.010(1)
13 or an assault or sexual assault which causes grievous bodily harm or
14 the fear of such harm.

15 (~~(b)~~) (e) The limitations imposed by the court shall be
16 reasonably calculated to protect the child from the physical, sexual,
17 or emotional abuse or harm that could result if the child has contact
18 with the parent requesting visitation. If the court expressly finds
19 limitations on visitation with the child will not adequately protect
20 the child from the harm or abuse that could result if the child has
21 contact with the parent requesting visitation, the court shall restrain
22 the person seeking visitation from all contact with the child. If the
23 parent requesting visitation is currently residing with another person
24 who has a history of physical or sexual abuse of a child, whether that
25 person is an adult or a juvenile, the court shall order that all
26 visitation take place outside the presence of that person.

27 (~~(e)~~) (f) Except as provided in (a), (b), and (c) of this
28 subsection, if the court expressly finds that contact between the
29 parent and the child will not cause physical, sexual, or emotional
30 abuse or harm to the child and that the probability that the parent's
31 harmful or abusive conduct will recur is so remote that it would not be
32 in the child's best interests to apply the limitations of (~~(a)~~ and
33 ~~(b)~~) (d) and (e) of this subsection, or if the court expressly finds
34 the parent's conduct did not have an impact on the child, then the
35 court need not apply the limitations of (~~(a)~~ and ~~(b)~~) (d) and (e) of
36 this subsection. The weight given to the existence of a protection
37 order issued under chapter 26.50 RCW as to domestic violence is within
38 the discretion of the court.

1 (3) Any person may petition the court for visitation rights at any
2 time including, but not limited to, custody proceedings. The court may
3 order visitation rights for any person when visitation may serve the
4 best interest of the child whether or not there has been any change of
5 circumstances.

6 (4) The court may modify an order granting or denying visitation
7 rights whenever modification would serve the best interests of the
8 child. Modification of a parent's visitation rights shall be subject
9 to the requirements of subsection (2) of this section.

10 NEW SECTION. **Sec. 7.** A new section is added to chapter 13.34 RCW
11 to read as follows:

12 (1) The provisions of this section shall apply when a court orders
13 a party to undergo an alcohol or substance abuse diagnostic
14 investigation and evaluation.

15 (2) The facility conducting the investigation and evaluation shall
16 make a written report to the court stating its findings and
17 recommendations including family-based services or treatment when
18 appropriate. If its findings and recommendations support treatment, it
19 shall also recommend a treatment plan setting out:

- 20 (a) Type of treatment;
- 21 (b) Nature of treatment;
- 22 (c) Length of treatment;
- 23 (d) A treatment time schedule; and
- 24 (e) Approximate cost of the treatment.

25 The affected person shall be included in developing the appropriate
26 plan of treatment. The plan of treatment must be signed by treatment
27 provider and the affected person. The initial written report based on
28 the treatment plan and response to treatment shall be sent to
29 appropriate persons six weeks after initiation of treatment, and after
30 three months, after six months, after twelve months, and thereafter
31 every six months if treatment exceeds twelve months. Reports are to be
32 filed in a timely manner. Close-out of the treatment record must
33 include summary of pretreatment and posttreatment, with final outcome
34 and disposition. The report shall also include recommendations for
35 ongoing stability and decrease in destructive behavior.

36 The report with the treatment plan shall be filed with the court
37 and a copy given to the person evaluated and the person's counsel. A
38 copy of the treatment plan shall also be given to the department's

1 caseworker and to the guardian ad litem. Any program for alcoholism
2 shall meet the program requirements contained in RCW 10.05.150.

3 (3) If the court has ordered treatment pursuant to a dependency
4 proceeding it shall also require the treatment program to provide, in
5 the reports required by subsection (2) of this section, status reports
6 to the court, the department, the supervising child-placing agency if
7 any, and the person or person's counsel regarding: (a) The person's
8 cooperation with the treatment plan proposed; and (b) the person's
9 progress in treatment.

10 (4) In addition, if the party fails or neglects to carry out and
11 fulfill any term or condition of the treatment plan, the program or
12 agency administering the treatment shall report such breach to the
13 court, the department, the guardian ad litem, the supervising child-
14 placing agency if any, and the person or person's counsel, within
15 twenty-four hours, together with its recommendation. These reports
16 shall be made as a declaration by the person who is personally
17 responsible for providing the treatment.

18 (5) Nothing in this chapter may be construed as allowing the court
19 to require the department to pay for the cost of any alcohol or
20 substance abuse treatment program.

21 NEW SECTION. **Sec. 8.** A new section is added to chapter 13.34 RCW
22 to read as follows:

23 (1) The court or the department, upon receiving a report under
24 section 7(4) of this act, may schedule a show cause hearing to
25 determine whether the person is in violation of the treatment
26 conditions. All parties shall be given notice of the hearing. The
27 court shall hold the hearing within ten days of the request for a
28 hearing. At the hearing, testimony, declarations, reports, or other
29 relevant information may be presented on the person's alleged failure
30 to comply with the treatment plan and the person shall have the right
31 to present similar information on his or her own behalf.

32 (2) If the court finds that there has been a violation of the
33 treatment conditions it shall modify the dependency order, as
34 necessary, to ensure the safety of the child. The modified order shall
35 remain in effect until the party is in full compliance with the
36 treatment requirements.

1 **Sec. 9.** RCW 13.34.110 and 1991 c 340 s 3 are each amended to read
2 as follows:

3 The court shall hold a fact-finding hearing on the petition and,
4 unless the court dismisses the petition, shall make written findings of
5 fact, stating the reasons therefor, and after it has announced its
6 findings of fact shall hold a hearing to consider disposition of the
7 case immediately following the fact-finding hearing or at a continued
8 hearing within fourteen days or longer for good cause shown. The
9 parties need not appear at the fact-finding or dispositional hearing if
10 ~~((all))~~ the parties, their attorneys, the guardian ad litem, and court-
11 appointed special advocates are all in agreement~~((+but))~~. The court
12 shall receive and review a social study before entering an order based
13 on agreement. No social file or social study may be considered by the
14 court in connection with the fact-finding hearing or prior to factual
15 determination, except as otherwise admissible under the rules of
16 evidence. Notice of the time and place of the continued hearing may be
17 given in open court. If notice in open court is not given to a party,
18 that party shall be notified by mail of the time and place of any
19 continued hearing.

20 All hearings may be conducted at any time or place within the
21 limits of the county, and such cases may not be heard in conjunction
22 with other business of any other division of the superior court. The
23 general public shall be excluded, and only such persons may be admitted
24 who are found by the judge to have a direct interest in the case or in
25 the work of the court. If a child resides in foster care or in the
26 home of a relative pursuant to a disposition order entered under RCW
27 13.34.130, the court may allow the child's foster parent or relative
28 care provider to attend dependency review proceedings pertaining to the
29 child for the sole purpose of providing information about the child to
30 the court.

31 Stenographic notes or any device which accurately records the
32 proceedings may be required as provided in other civil cases pursuant
33 to RCW 2.32.200.

34 **Sec. 10.** RCW 13.34.120 and 1987 c 524 s 5 are each amended to read
35 as follows:

36 (1) To aid the court in its decision on disposition, a social
37 study, consisting of a written evaluation of matters relevant to the
38 disposition of the case, shall be made by the person or agency filing

1 the petition. The study shall include all social records and may also
2 include facts relating to the child's cultural heritage, and shall be
3 made available to the court. The court shall consider the social file
4 ~~((and))~~, social study, guardian ad litem report, the court-appointed
5 special advocates report and any reports filed by a party at the
6 disposition hearing in addition to evidence produced at the fact-
7 finding hearing. At least ten working days before the disposition
8 hearing, the department shall mail to the parent and his or her
9 attorney a copy of the agency's social study and proposed service plan,
10 which shall be in writing or in a form understandable to the parents or
11 custodians. In addition, the department shall provide an opportunity
12 for parents to review and comment on the plan at the community service
13 office. If the parents disagree with the agency's plan or any part
14 thereof, the parents shall submit to the court at least twenty-four
15 hours before the hearing, in writing, or signed oral statement, an
16 alternative plan to correct the problems which led to the finding of
17 dependency. This section shall not interfere with the right of the
18 parents or custodians to submit oral arguments regarding the
19 disposition plan at the hearing.

20 (2) In addition to the requirements set forth in subsection (1) of
21 this section, a predisposition study to the court in cases of
22 dependency alleged pursuant to RCW 13.34.030(2) (b) or (c) shall
23 contain the following information:

24 (a) A statement of the specific harm or harms to the child that
25 intervention is designed to alleviate;

26 (b) A description of the specific programs, for both the parents
27 and child, that are needed in order to prevent serious harm to the
28 child; the reasons why such programs are likely to be useful; the
29 availability of any proposed services; and the agency's overall plan
30 for ensuring that the services will be delivered;

31 (c) If removal is recommended, a full description of the reasons
32 why the child cannot be protected adequately in the home, including a
33 description of any previous efforts to work with the parents and the
34 child in the home; the in-home treatment programs which have been
35 considered and rejected; and the parents' attitude toward placement of
36 the child;

37 (d) A statement of the likely harms the child will suffer as a
38 result of removal. This section should include an exploration of the

1 nature of the parent-child attachment and the meaning of separation and
2 loss to both the parents and the child;

3 (e) A description of the steps that will be taken to minimize harm
4 to the child that may result if separation occurs; and

5 (f) Behavior that will be expected before determination that
6 supervision of the family or placement is no longer necessary.

7 **Sec. 11.** RCW 13.34.150 and 1990 c 246 s 6 are each amended to read
8 as follows:

9 Any order made by the court in the case of a dependent child may be
10 changed, modified, or set aside, only upon a showing of a change in
11 circumstance or as provided in section 8 of this act.

12 **Sec. 12.** RCW 13.34.162 and 1988 c 275 s 15 are each amended to
13 read as follows:

14 A determination of child support shall be based upon the child
15 support schedule and standards (~~((adopted))~~) provided under chapter 26.19
16 RCW ((26.19.040)).

17 NEW SECTION. **Sec. 13.** A new section is added to chapter 26.44 RCW
18 to read as follows:

19 (1) This chapter shall not be construed to authorize interference
20 with child-raising practices, including reasonable parental discipline,
21 which are not injurious to the child's health, welfare, and safety.

22 (2) Nothing in this chapter may be used to prohibit the reasonable
23 use of corporal punishment as a means of discipline.

24 (3) No parent or guardian may be deemed abusive or neglectful
25 solely by reason of the parent's or child's blindness, deafness,
26 developmental disability, or other handicap.

27 (4) A person reporting injury, abuse, or neglect to an adult
28 dependent person shall not suffer negative consequences if the person
29 reporting believes in good faith that the adult dependent person has
30 been found legally incompetent or disabled.

31 **Sec. 14.** RCW 26.44.020 and 1988 c 142 s 1 are each amended to read
32 as follows:

33 For the purpose of and as used in this chapter:

34 (1) "Court" means the superior court of the state of Washington,
35 juvenile department.

1 (2) "Law enforcement agency" means the police department, the
2 prosecuting attorney, the state patrol, the director of public safety,
3 or the office of the sheriff.

4 (3) "Practitioner of the healing arts" or "practitioner" means a
5 person licensed by this state to practice (~~podiatry~~) podiatric
6 medicine and surgery, optometry, chiropractic, nursing, dentistry,
7 osteopathy and surgery, or medicine and surgery or to provide other
8 health services. The term "practitioner" shall include a duly
9 accredited Christian Science practitioner: PROVIDED, HOWEVER, That a
10 person who is being furnished Christian Science treatment by a duly
11 accredited Christian Science practitioner shall not be considered, for
12 that reason alone, a neglected person for the purposes of this chapter.

13 (4) "Institution" means a private or public hospital or any other
14 facility providing medical diagnosis, treatment or care.

15 (5) "Department" means the state department of social and health
16 services.

17 (6) "Child" or "children" means any person under the age of
18 eighteen years of age.

19 (7) "Professional school personnel" shall include, but not be
20 limited to, teachers, counselors, administrators, child care facility
21 personnel, and school nurses.

22 (8) "Social service counselor" shall mean anyone engaged in a
23 professional capacity during the regular course of employment in
24 encouraging or promoting the health, welfare, support or education of
25 children, or providing social services to adults or families, including
26 mental health, drug and alcohol treatment, and domestic violence
27 programs, whether in an individual capacity, or as an employee or agent
28 of any public or private organization or institution.

29 (9) "Psychologist" shall mean any person licensed to practice
30 psychology under chapter 18.83 RCW, whether acting in an individual
31 capacity or as an employee or agent of any public or private
32 organization or institution.

33 (10) "Pharmacist" shall mean any registered pharmacist under the
34 provisions of chapter 18.64 RCW, whether acting in an individual
35 capacity or as an employee or agent of any public or private
36 organization or institution.

37 (11) "Clergy" shall mean any regularly licensed or ordained
38 minister, priest or rabbi of any church or religious denomination,

1 whether acting in an individual capacity or as an employee or agent of
2 any public or private organization or institution.

3 (12) "~~((Child)) Abuse or neglect~~" shall mean the injury, sexual
4 abuse, sexual exploitation, ~~((or)) negligent treatment,~~ or maltreatment
5 of a child, adult dependent, or developmentally disabled person by any
6 person under circumstances which indicate that the child's or adult's
7 health, welfare, and safety is harmed ~~((thereby))~~. An abused child is
8 a child who has been subjected to child abuse or neglect as defined
9 herein~~((:— PROVIDED, That this subsection shall not be construed to~~
10 ~~authorize—interference—with—child-raising—practices,—including~~
11 ~~reasonable parental discipline, which are not proved to be injurious to~~
12 ~~the child's health, welfare, and safety:—AND PROVIDED FURTHER, That~~
13 ~~nothing in this section shall be used to prohibit the reasonable use of~~
14 ~~corporal punishment as a means of discipline.—No parent or guardian~~
15 ~~shall be deemed abusive or neglectful solely by reason of the parent's~~
16 ~~or child's blindness, deafness, developmental disability, or other~~
17 ~~handicap))~~.

18 (13) "Child protective services section" shall mean the child
19 protective services section of the department.

20 (14) "Adult dependent persons ~~((not able to provide for their own~~
21 ~~protection through the criminal justice system))~~" shall be defined as
22 those persons over the age of eighteen years who have been found to be
23 legally incompetent or disabled pursuant to chapter 11.88 RCW ~~((or~~
24 ~~found disabled to such a degree pursuant to said chapter, that such~~
25 ~~protection is indicated:—PROVIDED, That no persons reporting injury,~~
26 ~~abuse, or neglect to an adult dependent person as defined herein shall~~
27 ~~suffer negative consequences if such a judicial determination of~~
28 ~~incompetency or disability has not taken place and the person reporting~~
29 ~~believes in good faith that the adult dependent person has been found~~
30 ~~legally incompetent pursuant to chapter 11.88 RCW))~~.

31 (15) "Sexual exploitation" includes: (a) Allowing, permitting, or
32 encouraging a child to engage in prostitution by any person; or (b)
33 allowing, permitting, encouraging, or engaging in the obscene or
34 pornographic photographing, filming, or depicting of a child ~~((for~~
35 ~~commercial purposes as those acts are defined by state law))~~ by any
36 person.

37 (16) "Negligent treatment or maltreatment" means an act or omission
38 which evidences a serious disregard of consequences of such magnitude

1 as to constitute a clear and present danger to the child's health,
2 welfare, and safety.

3 (17) "Developmentally disabled person" means a person who has a
4 disability defined in RCW (~~(71.20.016)~~) 71A.10.020.

5 (18) "Child protective services" means those services provided by
6 the department designed to protect children from child abuse and
7 neglect and safeguard the general welfare of such children and shall
8 include investigations of child abuse and neglect reports, including
9 reports regarding child care centers and family child care homes, and
10 the development, management, and provision of or referral to services
11 to ameliorate conditions which endanger the welfare of children, the
12 coordination of necessary programs and services relevant to the
13 prevention, intervention, and treatment of child abuse and neglect, and
14 services to children to ensure that each child has a permanent home.
15 In determining whether protective services should be provided, the
16 department shall not decline to provide such services solely because of
17 the child's unwillingness or developmental inability to describe the
18 nature and severity of the abuse or neglect.

19 (19) "Malice" or "maliciously" means an evil intent, wish, or
20 design to vex, annoy, or injure another person. Such malice may be
21 inferred from an act done in wilful disregard of the rights of another,
22 or an act wrongfully done without just cause or excuse, or an act or
23 omission of duty betraying a wilful disregard of social duty.

24 **Sec. 15.** RCW 26.44.030 and 1991 c 111 s 1 are each amended to read
25 as follows:

26 (1) When any practitioner, professional school personnel,
27 registered or licensed nurse, social service counselor, psychologist,
28 pharmacist, licensed or certified child care providers or their
29 employees, employee of the department, or juvenile probation officer
30 has reasonable cause to believe that a child or adult dependent or
31 developmentally disabled person, has suffered abuse or neglect, he or
32 she shall report such incident, or cause a report to be made, to the
33 proper law enforcement agency or to the department as provided in RCW
34 26.44.040. The reporting requirement shall also apply to any adult who
35 has reasonable cause to believe that a child or adult dependent or
36 developmentally disabled person, who resides with them, has suffered
37 abuse or neglect. The report shall be made at the first opportunity,
38 but in no case longer than forty-eight hours after there is reasonable

1 cause to believe that the child or adult has suffered abuse or neglect.
2 The report shall include the identity of the accused if known.

3 (2) The reporting requirement of subsection (1) of this section
4 does not apply to the discovery of abuse or neglect that occurred
5 during childhood if it is discovered after the child has become an
6 adult. However, if there is reasonable cause to believe other
7 children, dependent adults, or developmentally disabled persons are or
8 may be at risk of abuse or neglect by the accused, the reporting
9 requirement of subsection (1) of this section shall apply.

10 (3) Any other person who has reasonable cause to believe that a
11 child or adult dependent or developmentally disabled person has
12 suffered abuse or neglect may report such incident to the proper law
13 enforcement agency or to the department of social and health services
14 as provided in RCW 26.44.040.

15 (4) The department, upon receiving a report of an incident of abuse
16 or neglect pursuant to this chapter, involving a child or adult
17 dependent or developmentally disabled person who has died or has had
18 physical injury or injuries inflicted upon him or her other than by
19 accidental means or who has been subjected to sexual abuse, shall
20 report such incident to the proper law enforcement agency. In
21 emergency cases, where the child, adult dependent, or developmentally
22 disabled person's welfare is endangered, the department shall notify
23 the proper law enforcement agency within twenty-four hours after a
24 report is received by the department. In all other cases, the
25 department shall notify the law enforcement agency within seventy-two
26 hours after a report is received by the department. If the department
27 makes an oral report, a written report shall also be made to the proper
28 law enforcement agency within five days thereafter.

29 (5) Any law enforcement agency receiving a report of an incident of
30 abuse or neglect pursuant to this chapter, involving a child or adult
31 dependent or developmentally disabled person who has died or has had
32 physical injury or injuries inflicted upon him or her other than by
33 accidental means, or who has been subjected to sexual abuse, shall
34 report such incident in writing as provided in RCW 26.44.040 to the
35 proper county prosecutor or city attorney for appropriate action
36 whenever the law enforcement agency's investigation reveals that a
37 crime may have been committed. The law enforcement agency shall also
38 notify the department of all reports received and the law enforcement
39 agency's disposition of them. In emergency cases, where the child,

1 adult dependent, or developmentally disabled person's welfare is
2 endangered, the law enforcement agency shall notify the department
3 within twenty-four hours. In all other cases, the law enforcement
4 agency shall notify the department within seventy-two hours after a
5 report is received by the law enforcement agency.

6 (6) Any county prosecutor or city attorney receiving a report under
7 subsection (5) of this section shall notify the victim, any persons the
8 victim requests, and the local office of the department, of the
9 decision to charge or decline to charge a crime, within five days of
10 making the decision.

11 (7) The department may conduct ongoing case planning and
12 consultation with those persons or agencies required to report under
13 this section, with consultants designated by the department, and with
14 designated representatives of Washington Indian tribes if the client
15 information exchanged is pertinent to cases currently receiving child
16 protective services or department case services for the developmentally
17 disabled. Upon request, the department shall conduct such planning and
18 consultation with those persons required to report under this section
19 if the department determines it is in the best interests of the child
20 or developmentally disabled person. Information considered privileged
21 by statute and not directly related to reports required by this section
22 shall not be divulged without a valid written waiver of the privilege.

23 (8) Any case referred to the department by a physician licensed
24 under chapter 18.57 or 18.71 RCW on the basis of an expert medical
25 opinion that child abuse, neglect, or sexual assault has occurred and
26 that the child's safety will be seriously endangered if returned home,
27 the department shall file a dependency petition unless a second
28 licensed physician of the parents' choice believes that such expert
29 medical opinion is incorrect. If the parents fail to designate a
30 second physician, the department may make the selection. If a
31 physician finds that a child has suffered abuse or neglect but that
32 such abuse or neglect does not constitute imminent danger to the
33 child's health or safety, and the department agrees with the
34 physician's assessment, the child may be left in the parents' home
35 while the department proceeds with reasonable efforts to remedy
36 parenting deficiencies.

37 (9) Persons or agencies exchanging information under subsection (7)
38 of this section shall not further disseminate or release the

1 information except as authorized by state or federal statute.
2 Violation of this subsection is a misdemeanor.

3 (10) Upon receiving reports of abuse or neglect, the department or
4 law enforcement agency may interview children. The interviews may be
5 conducted on school premises, at day-care facilities, at the child's
6 home, or at other suitable locations outside of the presence of
7 parents. Parental notification of the interview shall occur at the
8 earliest possible point in the investigation that will not jeopardize
9 the safety or protection of the child or the course of the
10 investigation. Prior to commencing the interview the department or law
11 enforcement agency shall determine whether the child wishes a third
12 party to be present for the interview and, if so, shall make reasonable
13 efforts to accommodate the child's wishes. Unless the child objects,
14 the department or law enforcement agency shall make reasonable efforts
15 to include a third party in any interview so long as the presence of
16 the third party will not jeopardize the course of the investigation.

17 (11) Upon receiving a report of incidents, conditions, or
18 circumstances of child abuse and neglect, the department shall have
19 access to all relevant records of the child in the possession of
20 mandated reporters and their employees.

21 (12) The department shall maintain investigation records and
22 conduct timely and periodic reviews of all cases constituting abuse and
23 neglect. The department shall maintain a log of screened-out
24 nonabusive cases.

25 (13) The department ~~((of social and health services))~~ shall~~((~~
26 ~~within funds appropriated for this purpose,))~~ use a risk assessment
27 ~~((tool))~~ process when investigating child abuse and neglect referrals.
28 ~~((The tool shall be used, on a pilot basis, in three local office~~
29 ~~service areas.))~~ The department shall present the risk factors at all
30 hearings in which the placement of a dependent child is an issue. The
31 department shall, within funds appropriated for this purpose, offer
32 enhanced community-based services to persons who are determined not to
33 require further state intervention.

34 The department shall provide annual reports to the ~~((ways and~~
35 ~~means))~~ appropriate committees of the senate and house of
36 representatives on the ~~((use))~~ effectiveness of the ~~((tool by December~~
37 ~~1, 1989. The report shall include recommendations on the continued use~~
38 ~~and possible expanded use of the tool))~~ risk assessment process.

1 (14) Upon receipt of (~~such~~) a report of abuse or neglect the law
2 enforcement agency may arrange to interview the person making the
3 report and any collateral sources to determine if any malice is
4 involved in the reporting.

5 **Sec. 16.** RCW 26.44.040 and 1987 c 206 s 4 are each amended to read
6 as follows:

7 An immediate oral report shall be made by telephone or otherwise to
8 the proper law enforcement agency or the department of social and
9 health services and, upon request, shall be followed by a report in
10 writing. Such reports shall contain the following information, if
11 known:

12 (1) The name, address, and age of the child or adult dependent or
13 developmentally disabled person;

14 (2) The name and address of the child's parents, stepparents,
15 guardians, or other persons having custody of the child or the
16 residence of the adult dependent or developmentally disabled person;

17 (3) The nature and extent of the injury or injuries;

18 (4) The nature and extent of the neglect;

19 (5) The nature and extent of the sexual abuse;

20 (6) Any evidence of previous injuries, including their nature and
21 extent; and

22 (7) Any other information which may be helpful in establishing the
23 cause of the child's or adult dependent or developmentally disabled
24 person's death, injury, or injuries and the identity of the alleged
25 perpetrator or perpetrators.

26 **Sec. 17.** RCW 26.44.063 and 1988 c 190 s 3 are each amended to read
27 as follows:

28 (1) It is the intent of the legislature to minimize trauma to a
29 child involved in an allegation of sexual or physical abuse. The
30 legislature declares that removing the child from the home often has
31 the effect of further traumatizing the child. It is, therefore, the
32 legislature's intent that the alleged offender, rather than the child,
33 shall be removed from the home and that this should be done at the
34 earliest possible point of intervention in accordance with RCW
35 10.31.100, 13.34.130, this section, and RCW 26.44.130.

36 (2) In any judicial proceeding in which it is alleged that a child
37 has been subjected to sexual or physical abuse, if the court finds

1 reasonable grounds to believe that an incident of sexual or physical
2 abuse has occurred, the court may, on its own motion, or the motion of
3 the guardian ad litem or other parties, issue a temporary restraining
4 order or preliminary injunction restraining or enjoining the person
5 accused of committing the abuse from:

6 (a) Molesting or disturbing the peace of the alleged victim;

7 (b) Entering the family home of the alleged victim except as
8 specifically authorized by the court; or

9 (c) Having any contact with the alleged victim, except as
10 specifically authorized by the court.

11 (3) In issuing a temporary restraining order or preliminary
12 injunction, the court may impose any additional restrictions that the
13 court in its discretion determines are necessary to protect the child
14 from further abuse or emotional trauma pending final resolution of the
15 abuse allegations.

16 (4) The court shall issue a temporary restraining order prohibiting
17 a person from entering the family home if the court finds that the
18 order would eliminate the need for an out-of-home placement to protect
19 the child's right to nurturance, health, and safety and is sufficient
20 to protect the child from further sexual or physical abuse or coercion.

21 (5) The court may issue a temporary restraining order without
22 requiring notice to the party to be restrained or other parties only if
23 it finds on the basis of the moving affidavit or other evidence that
24 irreparable injury could result if an order is not issued until the
25 time for responding has elapsed.

26 (6) A temporary restraining order or preliminary injunction:

27 (a) Does not prejudice the rights of a party or any child which are
28 to be adjudicated at subsequent hearings in the proceeding; and

29 (b) May be revoked or modified.

30 (7) The person having physical custody of the child shall have an
31 affirmative duty to assist in the enforcement of the restraining order
32 including but not limited to a duty to notify the court as soon as
33 practicable of any violation of the order, a duty to request the
34 assistance of law enforcement officers to enforce the order, and a duty
35 to notify the department of social and health services of any violation
36 of the order as soon as practicable if the department is a party to the
37 action. Failure by the custodial party to discharge these affirmative
38 duties shall be subject to contempt proceedings.

1 (8) Willful violation of a court order entered under this section
2 is a misdemeanor. A written order shall contain the court's directive
3 and shall bear the legend: "Violation of this order with actual notice
4 of its terms is a criminal offense under chapter 26.44 RCW, is also
5 subject to contempt proceedings, and will subject a violator to
6 arrest."

7 **Sec. 18.** RCW 26.44.067 and 1989 c 373 s 23 are each amended to
8 read as follows:

9 (1) Any person having had actual notice of the existence of a
10 restraining order issued by a court of competent jurisdiction pursuant
11 to RCW 26.44.063 who refuses to comply with the provisions of such
12 order (~~(when requested by any peace officer of the state)~~) shall be
13 guilty of a misdemeanor.

14 (2) The notice requirements of subsection (1) of this section may
15 be satisfied by the peace officer giving oral or written evidence to
16 the person subject to the order by reading from or handing to that
17 person a copy certified by a notary public or the clerk of the court to
18 be an accurate copy of the original court order which is on file. The
19 copy may be supplied by the court or any party.

20 (3) The remedies provided in this section shall not apply unless
21 restraining orders subject to this section shall bear this legend:
22 VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL
23 OFFENSE UNDER CHAPTER 26.44 RCW AND IS ALSO SUBJECT TO CONTEMPT
24 PROCEEDINGS.

25 (4) It is a defense to prosecution under subsection (1) of this
26 section that the court order was issued contrary to law or court rule.
27 No right of action shall accrue against any peace officer acting upon
28 a properly certified copy of a court order lawful on its face if such
29 officer employs otherwise lawful means to effect the arrest.

30 **Sec. 19.** RCW 26.44.100 and 1985 c 183 s 1 are each amended to read
31 as follows:

32 The legislature finds parents and children often are not aware of
33 their due process rights when agencies are investigating allegations of
34 child abuse and neglect. The legislature reaffirms that all citizens,
35 including parents, shall be afforded due process, that protection of
36 children remains the priority of the legislature, and that this
37 protection includes protecting the family unit from unnecessary

1 disruption. To facilitate this goal, the legislature wishes to ensure
2 that parents and children be advised in writing and orally, if
3 feasible, of their basic rights and other specific information as set
4 forth in this ((aet)) chapter, provided that nothing contained in this
5 ((aet)) chapter shall cause any delay in protective custody action.

6 NEW SECTION. Sec. 20. A new section is added to chapter 26.44 RCW
7 to read as follows:

8 (1) If a person who has unsupervised visitation rights with a minor
9 child pursuant to a court order is accused of sexually or physically
10 abusing a child and the alleged abuse has been reported to the proper
11 authorities for investigation, the law enforcement officer conducting
12 the investigation may file a motion with the court for a temporary
13 restraining order to restrain the alleged abuser's visitation rights
14 during the investigation. The investigating law enforcement officer
15 shall submit an affidavit stating that the person is currently under
16 investigation for sexual or physical abuse of a child, that there is a
17 risk of harm to the child if a temporary restraining order is not
18 entered, and that the prosecuting attorney has informed the officer
19 that the attorney does not have enough information at the time to
20 determine whether prosecution is warranted. The restraining order
21 shall be issued for up to ninety days or until the investigation has
22 been concluded in favor of the alleged abuser, whichever is shorter.

23 (2) Willful violation of a court order entered under this section
24 is a misdemeanor. The court order shall state: "Violation of this
25 order is a criminal offense under chapter 26.44 RCW and will subject
26 the violator to arrest."

27 NEW SECTION. Sec. 21. A new section is added to chapter 74.14A
28 RCW to read as follows:

29 The secretary shall:

30 (1)(a) Consult with relevant qualified professionals to develop a
31 set of minimum guidelines to be used for identifying all children who
32 are in a state-assisted support system, whether at-home or out-of-home,
33 who are likely to need long-term care or assistance, because they face
34 physical, emotional, medical, mental, or other long-term challenges.

35 (b) The guidelines must, at a minimum, consider the following
36 criteria for identifying children in need of long-term care or
37 assistance:

1 (i) Placement within the foster care system for two years or more;
2 (ii) Multiple foster care placements;
3 (iii) Repeated unsuccessful efforts to be placed with a permanent
4 adoptive family;
5 (iv) Chronic behavioral or educational problems;
6 (v) Repetitive criminal acts or offenses;
7 (vi) Failure to comply with court-ordered disciplinary actions and
8 other imposed guidelines of behavior, including drug and alcohol
9 rehabilitation; and
10 (vii) Chronic physical, emotional, medical, mental, or other
11 similar conditions necessitating long-term care or assistance;
12 (2) Develop programs that are necessary for the long-term care of
13 children and youth that are identified for the purposes of this
14 section. Programs must: (a) Effectively address the educational,
15 physical, emotional, mental, and medical needs of children and youth;
16 and (b) incorporate an array of family support options, to individual
17 needs and choices of the child and family. The programs must be ready
18 for implementation by January 1, 1995;
19 (3) Conduct an evaluation of all children currently within the
20 foster care agency caseload to identify those children who meet the
21 criteria set forth in this section. The evaluation shall be completed
22 by January 1, 1994. All children entering the foster care system after
23 January 1, 1994, must be evaluated for identification of long-term
24 needs within thirty days of placement;
25 (4) Study and develop a comprehensive plan for the evaluation and
26 identification of all children and youth in need of long-term care or
27 assistance, including, but not limited to, the mentally ill,
28 developmentally disabled, medically fragile, seriously emotionally or
29 behaviorally disabled, and physically impaired;
30 (5) Study and develop a plan for the children and youth in need of
31 long-term care or assistance to ensure the coordination of services
32 between the department's divisions and between other state agencies who
33 are involved with the child or youth.
34 (6) Study and develop guidelines for transitional services, between
35 long-term care programs, based on the person's age or mental, physical,
36 emotional, or medical condition; and
37 (7) Study and develop a statutory proposal for the emancipation of
38 minors and report its findings and recommendations to the legislature
39 by January 1, 1994.

1 NEW SECTION. **Sec. 22.** Sections 5 and 6 of this act are necessary
2 for the immediate preservation of the public peace, health, or safety,
3 or support of the state government and its existing public
4 institutions, and shall take effect immediately."

5 ESHB 1512 - S AMD

6 By Senators Talmadge, Hargrove, Fraser and Roach

7
ADOPTED 4/16/93

8 On page 1, line 1 of the title, after "children;" strike the
9 remainder of the title and insert "amending RCW 13.34.145, 13.34.180,
10 13.34.190, 13.34.232, 26.10.160, 13.34.110, 13.34.120, 13.34.150,
11 13.34.162, 26.44.020, 26.44.030, 26.44.040, 26.44.063, 26.44.067, and
12 26.44.100; reenacting and amending RCW 26.09.191; adding new sections
13 to chapter 13.34 RCW; adding new sections to chapter 26.44 RCW; adding
14 a new section to chapter 74.14A RCW; prescribing penalties; and
15 declaring an emergency."

--- END ---