
HOUSE BILL 2398

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Stevens, Casada, Campbell, Padden, Van Luven, Silver, Sheahan, Fuhrman, Talcott, Ballard and Chandler

Read first time 01/14/94. Referred to Committee on Judiciary.

1 AN ACT Relating to prohibiting adoption, foster care, and placement
2 care of minor children by homosexuals; adding a new section to chapter
3 26.33 RCW; creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.33 RCW
6 to read as follows:

7 The legislature finds that it is in the best interest of a minor
8 child for the child to reside, where possible, in a household with a
9 mother and a father, either the natural parents, a parent and
10 stepparent, adoptive parents, or foster parents.

11 The legislature further finds that it is not in the best interest
12 of a minor child for the child to be placed in a household with a
13 homosexual, bisexual, transsexual, or transvestite, or with a person
14 who engages in such a conduct, act, practice, or relationship.

15 The legislature further finds that there is a legitimate and
16 compelling state interest in ensuring minor children are placed, where
17 possible, in sound female with male married households and that minor
18 children are not placed in households with a homosexual, bisexual,

1 transsexual, or transvestite, or with a person who engages in such a
2 conduct, act, practice, or relationship.

3 A homosexual, bisexual, transsexual, or transvestite, or a person
4 who engages in such a conduct, act, practice, or relationship, may not
5 become an adoptive, foster, or placement parent and may not have in
6 such a capacity a minor child under his or her care, custody, or
7 control.

8 The state shall provide a written finding in an adoption, foster,
9 or placement proceeding that the prospective adoptive, foster, or
10 placement parent is not a homosexual, bisexual, transsexual, or
11 transvestite, and does not engage in such a conduct, act, practice, or
12 relationship.

13 A court shall enforce this section in an adoption, foster, or
14 placement proceeding before it, and shall enter a written finding that
15 the prospective adoptive, foster, or placement parent is not a
16 homosexual, bisexual, transsexual, or transvestite, and does not engage
17 in such a conduct, act, practice, or relationship.

18 NEW SECTION. **Sec. 2.** The provisions of this act are to be
19 liberally construed to effectuate the policies and purposes of this
20 act. In the event of conflict between this act and any other provision
21 of law, the provisions of this act shall govern.

22 NEW SECTION. **Sec. 3.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.

26 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
27 preservation of the public peace, health, morals, or safety, or the
28 support of the state government and its existing public institutions,
29 and shall take effect immediately.

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