
HOUSE BILL 2527

State of Washington

55th Legislature

1998 Regular Session

By Representatives McDonald, Constantine and Hickel; by request of Statute Law Committee

Read first time 01/15/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to making technical corrections to the Revised Code
2 of Washington; amending RCW 9A.40.060, 42.17.160, 43.160.076, and
3 82.14.370; reenacting and amending RCW 43.160.210; providing an
4 effective date; and providing an expiration date.

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

6 **Sec. 1.** RCW 9A.40.060 and 1994 c 162 s 1 are each amended to read
7 as follows:

8 (1) A relative of a child under the age of eighteen or of an
9 incompetent person is guilty of custodial interference in the first
10 degree if, with the intent to deny access to the child or incompetent
11 person by a parent, guardian, institution, agency, or other person
12 having a lawful right to physical custody of such person, the relative
13 takes, entices, retains, detains, or conceals the child or incompetent
14 person from a parent, guardian, institution, agency, or other person
15 having a lawful right to physical custody of such person and:

16 (a) Intends to hold the child or incompetent person permanently or
17 for a protracted period; or

18 (b) Exposes the child or incompetent person to a substantial risk
19 of illness or physical injury; or

1 (c) Causes the child or incompetent person to be removed from the
2 state of usual residence; or

3 (d) Retains, detains, or conceals the child or incompetent person
4 in another state after expiration of any authorized visitation period
5 with intent to intimidate or harass a parent, guardian, institution,
6 agency, or other person having lawful right to physical custody or to
7 prevent a parent, guardian, institution, agency, or other person with
8 lawful right to physical custody from regaining custody.

9 (2) A parent of a child is guilty of custodial interference in the
10 first degree if the parent takes, entices, retains, detains, or
11 conceals the child, with the intent to deny access, from the other
12 parent having the lawful right to time with the child pursuant to a
13 court-ordered parenting plan, and:

14 (a) Intends to hold the child permanently or for a protracted
15 period; or

16 (b) Exposes the child to a substantial risk (~~(or of)~~) of illness
17 or physical injury; or

18 (c) Causes the child to be removed from the state of usual
19 residence.

20 (3) A parent or other person acting under the directions of the
21 parent is guilty of custodial interference in the first degree if the
22 parent or other person intentionally takes, entices, retains, or
23 conceals a child, under the age of eighteen years and for whom no
24 lawful custody order or parenting plan has been entered by a court of
25 competent jurisdiction, from the other parent with intent to deprive
26 the other parent from access to the child permanently or for a
27 protracted period.

28 (4) Custodial interference in the first degree is a class C felony.

29 EXPLANATORY NOTE:

30 This bill changes the word "or" to "of," correcting an error made in
31 1994 c 162 s 1, which was intended to have the language in subsection
32 (2)(b) parallel the language in subsection (1)(b).

33 **Sec. 2.** RCW 42.17.160 and 1995 c 397 s 32 are each amended to read
34 as follows:

35 The following persons and activities shall be exempt from
36 registration and reporting under RCW 42.17.150, 42.17.170, and
37 42.17.200:

1 (1) Persons who limit their lobbying activities to appearing before
2 public sessions of committees of the legislature, or public hearings of
3 state agencies;

4 (2) Activities by lobbyists or other persons whose participation
5 has been solicited by an agency under RCW 34.05.310(2);

6 (3) News or feature reporting activities and editorial comment by
7 working members of the press, radio, or television and the publication
8 or dissemination thereof by a newspaper, book publisher, regularly
9 published periodical, radio station, or television station;

10 (4) Persons who lobby without compensation or other consideration
11 for acting as a lobbyist: PROVIDED, Such person makes no expenditure
12 for or on behalf of any member of the legislature or elected official
13 or public officer or employee of the state of Washington in connection
14 with such lobbying. The exemption contained in this subsection is
15 intended to permit and encourage citizens of this state to lobby any
16 legislator, public official, or state agency without incurring any
17 registration or reporting obligation provided they do not exceed the
18 limits stated above. Any person exempt under this subsection (4) may
19 at his or her option register and report under this chapter;

20 (5) Persons who restrict their lobbying activities to no more than
21 four days or parts thereof during any three-month period and whose
22 total expenditures during such three-month period for or on behalf of
23 any one or more members of the legislature or state elected officials
24 or public officers or employees of the state of Washington in
25 connection with such lobbying do not exceed twenty-five dollars:
26 PROVIDED, That the commission shall promulgate regulations to require
27 disclosure by persons exempt under this subsection or their employers
28 or entities which sponsor or coordinate the lobbying activities of such
29 persons if it determines that such regulations are necessary to prevent
30 frustration of the purposes of this chapter. Any person exempt under
31 this subsection (5) may at his or her option register and report under
32 this chapter;

33 (6) The governor;

34 (7) The lieutenant governor;

35 (8) Except as provided by RCW 42.17.190(1), members of the
36 legislature;

37 (9) Except as provided by RCW 42.17.190(1), persons employed by the
38 legislature for the purpose of aiding in the preparation or enactment
39 of legislation or the performance of legislative duties;

1 (10) Elected officials, and officers and employees of any agency
2 reporting under RCW 42.17.190(~~((4) as now or hereafter amended))~~(5).

3 EXPLANATORY NOTE:

4 RCW 42.17.190 was amended by 1986 c 239 s 1, changing subsection (4) to
5 subsection (5). The current subsection (5) is the subsection that
6 requires reporting of lobbying by state agencies. This bill corrects
7 the cross-reference to that subsection.

8 **Sec. 3.** RCW 43.160.076 and 1997 c 367 s 9 are each amended to read
9 as follows:

10 (1) Except as authorized to the contrary under subsection (2) of
11 this section, from all funds available to the board for financial
12 assistance in a biennium, the board shall spend at least seventy-five
13 percent for financial assistance for projects in distressed counties or
14 rural natural resources impact areas. For purposes of this section,
15 the term "distressed counties" includes any county, in which the
16 average level of unemployment for the three years before the year in
17 which an application for financial assistance is filed, exceeds the
18 average state ~~((employment))~~ unemployment for those years by twenty
19 percent.

20 (2) If at any time during the last six months of a biennium the
21 board finds that the actual and anticipated applications for qualified
22 projects in distressed counties or rural natural resources impact areas
23 are clearly insufficient to use up the seventy-five percent allocation,
24 then the board shall estimate the amount of the insufficiency and
25 during the remainder of the biennium may use that amount of the
26 allocation for financial assistance to projects not located in
27 distressed counties or rural natural resources impact areas.

28 (3) This section expires June 30, 2000.

29 EXPLANATORY NOTE:

30 The formula for determining the threshold unemployment level for the
31 definition of "distressed counties" was erroneously copied for use in
32 1985 chapter 446 section 6. This bill changes the word "employment" to
33 the correct word in the formula, "unemployment."

34 This bill also corrects drafting errors in the delayed repeal of RCW
35 43.160.076. Although the delayed repeal of RCW 43.160.076 has been

1 amended several times, most recently in 1997 c 367 s 10 that changed
2 the date of the section's repeal to June 30, 2000, these amendments
3 have not included in the repeal's list of affected laws any session
4 laws after 1991. The new subsection (3) in this bill expires the
5 entire section June 30, 2000. This means that all session laws that
6 affect the section, including any amending this section in the future,
7 are now included in the expiration.

8 **Sec. 4.** RCW 43.160.210 and 1996 c 290 s 1 and 1996 c 51 s 10 are
9 each reenacted and amended to read as follows:

10 (1) Except as authorized to the contrary under subsection (2) of
11 this section, from all funds available to the board for financial
12 assistance, the board shall designate at least twenty percent for
13 financial assistance for projects in distressed counties. For purposes
14 of this section, the term "distressed counties" includes any county, in
15 which: (a) The average level of unemployment for the three years
16 before the year in which an application for financial assistance is
17 filed, exceeds the average state (~~employment~~) unemployment for those
18 years by twenty percent; or (b) a county that has a median household
19 income that is less than seventy-five percent of the state median
20 household income for the previous three years.

21 (2) If at any time during the last six months of a biennium the
22 board finds that the actual and anticipated applications for qualified
23 projects in distressed counties are clearly insufficient to use up the
24 twenty percent allocation, then the board shall estimate the amount of
25 the insufficiency and during the remainder of the biennium may use that
26 amount of the allocation for financial assistance for projects not
27 located in distressed counties.

28 EXPLANATORY NOTE:

29 The formula for determining the threshold unemployment level for the
30 definition of "distressed counties" was erroneously copied for use in
31 1991 c 314 s 25. This bill changes the word "employment" to the
32 correct word in the formula, "unemployment."

33 RCW 43.160.210 was also amended by 1996 c 51 s 10 and by 1996 c 290 s
34 1, each without reference to the other. Both amendments are
35 incorporated and reenacted in this bill.

1 RCW 43.160.210, amended in section 4 of this act, has a delayed
2 effective date of June 30, 2000. This section makes this bill
3 consistent with that effective date.

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