
SUBSTITUTE HOUSE BILL 3062

State of Washington 55th Legislature 1998 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Appelwick and Kenney)

Read first time 02/06/98. Referred to Committee on .

1 AN ACT Relating to provision of notice of relocation under
2 parenting plans; and adding new sections to chapter 26.09 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) Sections 1 through 5 of this act apply
5 to an order regarding residential time with a child issued:

6 (a) After the effective date of this section; and

7 (b) Before the effective date of this section, if the court
8 modifies the parenting plan to require the notification required in
9 section 4 of this act. A party may move to modify a parenting plan to
10 comply with section 4 of this act without a showing of substantial
11 change of circumstances.

12 (2) To the extent that sections 1 through 5 of this act conflict
13 with an existing parenting plan, sections 1 through 5 of this act do
14 not apply to the terms of that plan that govern relocation of the child
15 or a change in the residence address of a parent.

16 NEW SECTION. **Sec. 2.** Except as provided in section 5 of this act,
17 a parent entitled to residential time with a child under a temporary or
18 permanent parenting plan shall notify every other person entitled to

1 residential time with the child of an intended change of residence as
2 required in section 3 of this act.

3 NEW SECTION. **Sec. 3.** (1) Except as provided in section 5 of this
4 act, notice of an intended change of residence must be given by:

5 (a) First class mail to the last known address of the person to be
6 notified;

7 (b) No later than:

8 (i) Sixty days before the date of the intended change of residence;

9 or

10 (ii) Ten days after the date that the parent knows the information
11 required to be furnished under subsection (2) of this section, if the
12 parent did not know and could not reasonably have known the information
13 in sufficient time to comply with the sixty-day notice.

14 (2) Except as provided in section 5 of this act, the following
15 information, if available, shall be included with the notice of
16 intended change of residence:

17 (a) The intended new residence, including the specific address, if
18 known;

19 (b) The mailing address, if not the same as that of the intended
20 new residence;

21 (c) The home telephone number, if known;

22 (d) The date of the intended move;

23 (e) A proposal for a revised schedule of residential time with the
24 child, if necessary.

25 (3) A parent required to give notice of an intended change of
26 residence under this section has a continuing duty to provide a change
27 in or addition to the information required by this section as that
28 information becomes known.

29 NEW SECTION. **Sec. 4.** After the effective date of this section, a
30 parenting plan must include the following notice:

31 "Each party in this action is ordered to notify every
32 other party to this action of an intended change of residence
33 and the following information:

34 (1) The intended new residence, including the specific
35 address, if known;

36 (2) The mailing address, if not the same as that of the
37 intended new residence;

- 1 (3) The home telephone number, if known;
2 (4) The date of the intended move;
3 (5) A proposal for a revised schedule of residential
4 time with the child, if necessary.

5 If, under this parenting plan, you are permitted to keep
6 some of this information confidential from the other parent,
7 your notice of the intended change of residence need only
8 include that information to which the other parent is entitled.

9 Each party is ordered to give notice sixty days before
10 an intended change of residence. If you do not know and could
11 not have reasonably known of the change in sufficient time to
12 provide sixty days' notice, you are ordered to give notice of
13 the change ten days after the date that you know of the change.

14 The obligation to furnish this information to every
15 other party continues as long as a party is entitled to
16 residential time with a child covered by this order.

17 Failure to obey the order of this court to provide every
18 other party with notice of information regarding an intended
19 change of residence may result in a finding of contempt of
20 court. A finding of contempt may be punished by state law
21 regarding penalties for contempt."

22 NEW SECTION. Sec. 5. Notice under section 3 of this act shall not
23 be required if:

24 (1) The health, safety, or liberty of a person or a child would be
25 unreasonably placed at risk by notice;

26 (2) The party already has a court-authorized confidential address
27 or other court order which permits that parent to withhold some or all
28 of the requested information listed in section 3 of this act.

29 (3) The party is entering a domestic violence shelter due to the
30 danger imposed by the other parent; provided that the physical location
31 of any confidential shelter shall not be disclosed;

32 (4) The intended change of residence would not affect the
33 residential schedule; provided that a parent must provide notice on or
34 before the date of the intended change of residence by any reasonable
35 means.

1 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each
2 added to chapter 26.09 RCW.

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