
HOUSE BILL 3062

State of Washington 55th Legislature 1998 Regular Session

By Representatives Appelwick and Kenney

Read first time 01/28/98. Referred to Committee on Law & Justice.

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 a parent has
8 notice of sections 1 through 5 of this act.

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

13 NEW SECTION. **Sec. 2.** Except as provided in section 5 of this act,
14 a parent entitled to residential time with a child under a temporary or
15 permanent parenting plan shall notify every other person entitled to
16 residential time with the child of an intended change of residence as
17 required in section 3 of this act.

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

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

5 (b) No later than:

6 (i) Sixty days before the date of the intended change of residence;
7 or

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

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

15 (a) The intended new residence, including the specific address, if
16 known;

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

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

20 (d) The date of the intended move;

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

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

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

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

32 (1) The intended new residence, including the specific
33 address, if known;

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

36 (3) The home telephone number, if known;

37 (4) The date of the intended move;

1 (5) A proposal for a revised schedule of residential
2 time with the child, if necessary.

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

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

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

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

20 NEW SECTION. **Sec. 5.** Notice under section 3 of this act shall not
21 be required if:

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

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

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

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

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

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