

---

HOUSE BILL 1407

---

State of Washington

56th Legislature

1999 Regular Session

By Representatives Lambert, Benson, Dickerson, Sheahan, Tokuda, Hurst, G. Chandler, Mulliken, Boldt, Koster, Schindler, Ogden, Dunn and Kessler

Read first time 01/25/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to adoption; amending RCW 26.33.170; and adding a  
2 new section to chapter 13.34 RCW.

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

4 **Sec. 1.** RCW 26.33.170 and 1988 c 203 s 1 are each amended to read  
5 as follows:

6 (1) An agency's, the department's, or a legal guardian's consent to  
7 adoption may be dispensed with if the court determines by clear, cogent  
8 and convincing evidence that the proposed adoption is in the best  
9 interests of the adoptee.

10 (2) The consent to adoption of an alleged father, a birth parent,  
11 or a parent who has been found guilty of rape under chapter 9A.44 RCW  
12 where the child-adoptee was the victim, or where the mother of the  
13 child was the victim and the child-adoptee was conceived as a result of  
14 the rape, may be dispensed with if the court finds that the proposed  
15 adoption is in the child's best interest.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW  
17 to read as follows:

1        In those cases where the natural parents have indicated their  
2 intention to make a voluntary adoption plan for the child and have  
3 agreed to the termination of their parental rights, the department,  
4 absent good cause, shall follow the wishes of the natural parent or  
5 parents regarding the proposed adoptive placement of the child, if  
6 prospective adoptive parents chosen by the natural parents are properly  
7 qualified to adopt in compliance with the standards in this chapter and  
8 chapter 26.33 RCW.

9        NEW SECTION.    **Sec. 3.**    If any provision of this act or its  
10 application to any person or circumstance is held invalid, the  
11 remainder of the act or the application of the provision to other  
12 persons or circumstances is not affected.

--- END ---