
SUBSTITUTE SENATE BILL 5537

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Franklin, Hochstatter, Winsley, Regala, Prentice, Patterson, Rasmussen, Hargrove, Costa, Kohl-Welles, Long, Shin, Kastama, Fairley, Thibaudeau, Eide, Snyder, Kline, T. Sheldon, Jacobsen, Constantine, Stevens and Oke)

READ FIRST TIME 02/22/01.

1 AN ACT Relating to internet adoption; and amending RCW 26.33.400.

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

3 **Sec. 1.** RCW 26.33.400 and 1991 c 136 s 6 are each amended to read
4 as follows:

5 (1) Unless the context clearly requires otherwise, "advertisement"
6 means communication by newspaper, radio, television, handbills,
7 placards, electronic mail, web sites, or other print, broadcast, or
8 ((the)) electronic medium. This definition applies throughout this
9 section.

10 (2) No person or entity shall cause to be published for
11 circulation, or broadcast on a radio or television station, within the
12 geographic borders of this state, an advertisement of a child or
13 children offered or wanted for adoption, or shall hold himself or
14 herself out through such advertisement as having the ability to place,
15 locate, dispose, or receive a child or children for adoption unless
16 such person or entity is:

17 (a) A duly authorized agent, contractee, or employee of the
18 department or a children's agency or institution licensed by the
19 department to care for and place children;

1 (b) A person who has a completed preplacement report as set forth
2 in RCW 26.33.190 (1) and (2) or chapter 26.34 RCW with a favorable
3 recommendation as to the fitness of the person to be an adoptive
4 parent, or such person's duly authorized uncompensated agent, or such
5 person's attorney who is licensed to practice in the state.
6 Verification of compliance with the requirements of this section shall
7 consist of a written declaration by the person or entity who prepared
8 the preplacement report.

9 Nothing in this section prohibits an attorney licensed to practice
10 in Washington state from advertising his or her availability to
11 practice or provide services related to the adoption of children.

12 (3) A violation of subsection (2) of this section is a matter
13 affecting the public interest for the purpose of applying chapter 19.86
14 RCW. A violation of subsection (2) of this section is not reasonable
15 in relation to the development and preservation of business. A
16 violation of subsection (2) of this section constitutes an unfair or
17 deceptive act or practice in trade or commerce for the purpose of
18 applying chapter 19.86 RCW.

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