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SENATE BILL 5537

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State of Washington

57th Legislature

2001 Regular Session

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 01/25/2001. Referred to Committee on Human Services & Corrections.

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 the  
8 electronic medium. This definition applies throughout this section.

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

16 (a) A duly authorized agent, contractee, or employee of the  
17 department or a children's agency or institution licensed by the  
18 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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