

---

**SUBSTITUTE HOUSE BILL 3083**

---

**State of Washington                      58th Legislature                      2004 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Kagi, Boldt, Dickerson, Orcutt, Pettigrew and Darneille)

READ FIRST TIME 02/06/04.

1            AN ACT Relating to immunity for any person who cooperates with an  
2 investigation of child abuse or neglect; and amending RCW 26.44.060.

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

4            **Sec. 1.** RCW 26.44.060 and 1997 c 386 s 29 are each amended to read  
5 as follows:

6            (1)(a) Except as provided in (b) of this subsection, any person  
7 participating in good faith in the making of a report or cooperating in  
8 an investigation arising as a result of such report pursuant to this  
9 chapter or testifying as to alleged child abuse or neglect in a  
10 judicial proceeding shall in so doing be immune from any liability  
11 arising out of such reporting, cooperating, or testifying under any law  
12 of this state or its political subdivisions, unless the person caused  
13 or allowed the child abuse or neglect to occur.

14            (b) A person convicted of a violation of subsection (4) of this  
15 section shall not be immune from liability under (a) of this  
16 subsection.

17            (2) An administrator of a hospital or similar institution or any  
18 physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a

1 child into custody pursuant to RCW 26.44.056 shall not be subject to  
2 criminal or civil liability for such taking into custody.

3 (3) Conduct conforming with the reporting requirements of this  
4 chapter shall not be deemed a violation of the confidential  
5 communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and  
6 18.83.110. Nothing in this chapter shall be construed as to supersede  
7 or abridge remedies provided in chapter 4.92 RCW.

8 (4) A person who, intentionally and in bad faith or maliciously,  
9 knowingly makes a false report of alleged abuse or neglect shall be  
10 guilty of a misdemeanor punishable in accordance with RCW 9A.20.021.

--- END ---