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**HOUSE BILL 1042**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Thai, Walen, Ortiz-Self, Lekanoff, Gregerson, Callan, Frame, Santos, and Macri

Prefiled 12/22/20. Read first time 01/11/21. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to revising the international application of the  
2 uniform child custody jurisdiction and enforcement act to protect  
3 families from facing the death penalty in certain foreign  
4 jurisdictions on the basis of religious beliefs, political beliefs,  
5 or sexual orientation; amending RCW 26.27.051; creating a new  
6 section; and declaring an emergency.

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

8 **Sec. 1.** RCW 26.27.051 and 2001 c 65 s 105 are each amended to  
9 read as follows:

10 (1) A court of this state shall treat a foreign country as if it  
11 were a state of the United States for the purpose of applying  
12 Articles 1 and 2.

13 (2) Except as otherwise provided in subsection (3) or (4) of this  
14 section, a child custody determination made in a foreign country  
15 under factual circumstances in substantial conformity with the  
16 jurisdictional standards of this chapter must be recognized and  
17 enforced under Article 3.

18 (3) A court of this state need not apply this chapter if the  
19 child custody law of a foreign country violates fundamental  
20 principles of human rights.

1       (4) A court of this state need not apply this chapter if the law  
2 of a foreign country holds that apostasy or homosexuality are  
3 punishable by death, and a parent or child may be at demonstrable  
4 risk of being subject to such laws. For the purposes of this  
5 subsection, "apostasy" means the abandonment or renunciation of a  
6 religious or political belief.

7       NEW SECTION.       **Sec. 2.**       This act applies to child custody  
8 proceedings or proceedings to enforce a child custody determination  
9 pending as of the effective date of this section, or commenced on or  
10 after the effective date of this section.

11       NEW SECTION.       **Sec. 3.**       This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of  
13 the state government and its existing public institutions, and takes  
14 effect immediately.

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