

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1042

67th Legislature
2021 Regular Session

Passed by the House April 12, 2021
Yeas 96 Nays 2

**Speaker of the House of
Representatives**

Passed by the Senate March 30, 2021
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1042** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1042

AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

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 a sincerely held
3 religious belief or practice, or homosexuality are punishable by
4 death, and a parent or child may be at demonstrable risk of being
5 subject to such laws. For the purposes of this subsection, "apostasy"
6 means the abandonment or renunciation of a religious or political
7 belief.

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

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

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