

HOUSE BILL REPORT

SB 5147

As Passed House:
February 15, 2013

Title: An act relating to juveniles and runaway children.

Brief Description: Concerning juveniles and runaway children.

Sponsors: Senators Hargrove, Carrell, Hewitt, Darneille and Shin.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/8/13 [DP].

Floor Activity:

Passed House: 2/15/13, 89-7.

Brief Summary of Bill

- Establishes notification requirements for licensed and unlicensed homeless or runaway shelters or programs.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 8 members: Representatives Kagi, Chair; Freeman, Vice Chair; Farrell, Goodman, MacEwen, Roberts, Sawyer and Zeiger.

Minority Report: Do not pass. Signed by 2 members: Representatives Scott, Assistant Ranking Minority Member; Overstreet.

Staff: Lindsay Lanham (786-7120).

Background:

In 1995 the Legislature enacted Engrossed Second Substitute Senate Bill 5439, which required any person providing shelter to a youth on known runaway status to report the location of the youth to a parent, guardian, law enforcement, or the Department of Social and Health Services (DSHS). The report had to be made within eight hours of learning that the youth was on runaway status.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 1996 Engrossed Second Substitute House Bill 2217 required the DSHS to make a good faith effort to notify parents of a youth on known runaway status that a report was received, and to use family reunification services to resolve any conflict.

In 2010 the Legislature enacted Engrossed Substitute House Bill 2752 (ESHB 2752), which introduced new requirements for licensed youth shelters or organizations whose stated mission is to provide services to homeless or runaway youth and their families. The new provision required licensed youth shelters or licensed organizations to report the youth's admission to the shelter within 72 hours. The preferred time frame, under the bill, was within 24 hours. The notification had to include the following: the youth's location, the physical and emotional condition of the youth, and the circumstances surrounding the youth's contact with the shelter. If there were compelling reasons not to notify the parent, the licensed shelter or organization had to notify the DSHS.

The ESHB 2752 further added a provision that required shelter and organizational staff to consult with the Washington State Patrol (WSP) to determine if the youth was publically listed as missing. If the youth was listed as publically missing, the shelter or organization staff was required to notify the DSHS and include information regarding the youth's physical and emotional condition and the circumstances surrounding the youth's contact with the shelter. The provisions of ESHB 2752 expired on July 1, 2012.

Summary of Bill:

The provisions established in ESHB 2752 are extended without an expiration date clause. Specifically, unlicensed youth shelters or runaway programs must provide locating information for the youth to parents, law enforcement, or the DSHS within eight hours of becoming aware that a youth is away from a lawful prescribed residence or home without permission.

Licensed overnight shelters or programs with a stated mission to provide services to homeless or runaway youth and their families must notify parents, the DSHS, or law enforcement within 72 hours of becoming aware that a youth is away from a lawful prescribed residence or home without permission. It is preferred that the notification occur within 24 hours. The information required in the notification includes: the youth's location, the youth's physical and emotional condition, and circumstances surrounding the youth's contact with the shelter or organization. If there are compelling reasons not to notify a parent, than the shelter staff must contact the DSHS. Shelter staff must consult with the WSP every eight hours to determine if the youth is listed as publically missing. If the youth is listed as publically missing, notification is immediate.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) A notification requirement of 72 hours is emerging as best practice for youth shelters. An eight hour timeline is not enough to gain the trust of a teen. Shelter employees need time to get the teen to the next level of either family reunification or referral for additional services. With the 72 hour timeline, shelter employees get better youth outcomes.

(Opposed) None.

Persons Testifying: Bob Cooper, Washington Defender Association, Washington Association of Criminal Defense Lawyers, and National Association of Social Workers, Washington Chapter.

Persons Signed In To Testify But Not Testifying: None.