
SENATE BILL 5100

State of Washington

53rd Legislature

1993 Regular Session

By Senator McCaslin

Read first time 01/13/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to unlawful harboring of a minor; and amending RCW
2 13.32A.080.

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

4 **Sec. 1.** RCW 13.32A.080 and 1981 c 298 s 6 are each amended to read
5 as follows:

6 (1)(a) A person commits the crime of unlawful harboring of a minor
7 if the person provides shelter to a minor without the consent of a
8 parent of the minor and ~~((after))~~ the person:

9 (i) Knows that the minor is away from the home of the parent~~((7))~~
10 without the parent's permission~~((7 and if the person intentionally:))~~i

11 ~~((i))~~ (ii) Fails to release the minor to a law enforcement
12 officer after being requested to do so by the officer; ~~((or~~

13 ~~(ii))~~ (iii) Fails to disclose the location of the minor to a law
14 enforcement officer after being requested to do so by the officer, if
15 the person knows the location of the minor and had either taken the
16 minor to that location or had assisted the minor in reaching that
17 location; ~~((or~~

18 ~~(iii))~~ (iv) Obstructs a law enforcement officer from taking the
19 minor into custody; or

1 (~~(iv)~~) (v) Assists the minor in avoiding or attempting to avoid
2 the custody of the law enforcement officer.

3 (b) It is a defense to a prosecution under this section that the
4 defendant had custody of the minor pursuant to a court order.

5 (2) Harboring a minor is punishable as a misdemeanor if the
6 offender has not been previously convicted under this section and a
7 gross misdemeanor if the offender has been previously convicted under
8 this section.

9 (3) Any person who provides shelter to a child, absent from home,
10 (~~may~~) shall notify the department's local community service office of
11 the child's presence.

12 (4) An adult responsible for involving a child in the commission of
13 an offense may be prosecuted under existing criminal statutes
14 including, but not limited to:

15 (a) Distribution of a controlled substance to a minor, as defined
16 in RCW 69.50.406;

17 (b) Promoting prostitution as defined in chapter 9A.88 RCW; and

18 (c) Complicity of the adult in the crime of a minor, under RCW
19 9A.08.020.

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