

HOUSE BILL REPORT

SSB 6028

As Passed House:

April 10, 1995

Title: An act relating to harassment.

Brief Description: Concerning harassment of a child by a person over age eighteen.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Schow and Roach).

Brief History:

Committee Activity:

Law & Justice: 3/22/95, 3/31/95 [DP].

Floor Activity:

Passed House: 4/10/95, 73-24.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 11 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Campbell; Carrell; Chappell; Lambert; McMahan; Morris; Robertson and Smith.

Minority Report: Do not pass. Signed by 5 members: Representatives Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Cody; Thibaudeau and Veloria.

Staff: Pat Shelledy (786-7149).

Background: A person who is a victim of unlawful harassment may petition the court for an antiharassment protection order. "Unlawful harassment" is a knowing and willful course of conduct directed at the victim that seriously alarms, annoys, or harasses the victim and serves no lawful or legitimate purpose. A reasonable person standard applies to determine whether the course of conduct is unlawful.

There is no specific provision that addresses whether a parent may seek a protection order on behalf of a minor.

Summary of Bill: Provisions relating to petitions for antiharassment protection orders are changed in two ways.

First, the definition of unlawful harassment is expanded to mean that the course of conduct "is detrimental to" the victim.

Second, a parent or guardian of a child under age 18 may petition the court for an antiharassment protection order to prevent contact between the child and an adult over age 18. The parent must show that contact with the adult is detrimental to the child's welfare. The standard to be applied in determining whether the course of conduct is unlawful is whether a reasonable parent would fear for his or her child's well-being.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will help parents protect their children who may be afraid to obtain a protection order, or if the parents are concerned about the child's contact with an adult.

Testimony Against: None.

Testified: Senator Schow, prime sponsor (pro).