

# FINAL BILL REPORT

## ESB 5610

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### FULL VETO

As Passed Legislature

**Brief Description:** Penalizing false accusations of child abuse or neglect.

**Sponsors:** Senators Smith, Deccio, Oke, Winsley, Roach and Schow.

**Senate Committee on Law & Justice**

**House Committee on Law & Justice**

**Background:** In domestic relations proceedings relating to a parenting plan or child custody, allegations of child abuse or neglect often result in lengthy hearings and increased attorneys' fees. It has been suggested that sanctions should be provided for making knowingly false accusations of child abuse or neglect.

**Summary:** Civil and criminal penalties are established for intentionally making a false allegation of child abuse or neglect during the course of proceedings relating to a parenting plan or child custody.

If the court finds that a person intentionally makes a false allegation of child abuse or neglect, or induces another person to make a false allegation, the court may impose a monetary penalty of up to \$1,000 against the person making, or inducing another to make, the allegation. The court may also order the person to pay reasonable attorney's fees incurred in recovering the penalty. The penalty is in addition to any other remedy provided by law. This provision does not apply to unemancipated minors.

In a proceeding relating to a parenting plan, a court finding that a parent knowingly made false accusations results in a presumption that the parent's residential time with the child should be limited.

A person who intentionally makes a false accusation of child abuse or neglect, or induces another person to make a false allegation, is guilty of a class C felony. The false allegation must be made during a proceeding related to a parenting plan or child custody.

**Votes on Final Passage:**

Senate	45	0	
House	91	4	(House amended)
Senate	46	0	(Senate concurred)