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HOUSE BILL 2020

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Esser, Carrell, Edmonds, Lambert, Lovick and McDonald

Read first time . Referred to Committee on .

1 AN ACT Relating to false accusations in certain court proceedings;  
2 adding a new section to chapter 26.44 RCW; adding a new section to  
3 chapter 26.50 RCW; creating a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds and declares that:

6 (a) Truth is the most important factor in our justice system, and  
7 without the requirement that people tell the truth under oath, the  
8 justice system becomes unreliable, easily misused, and eventually  
9 ineffectual;

10 (b) Parties involved in family law proceedings, such as  
11 dissolutions, child custody, and other domestic proceedings, are  
12 involved in highly sensitive and emotional situations. However,  
13 despite such volatile situations, the parties are entitled to truth and  
14 accuracy in these proceedings, especially when a party's reputation or  
15 involvement with his or her child is at stake.

16 (2) The legislature intends to deter intentional false accusations  
17 of child abuse or neglect and domestic violence in proceedings related  
18 to parenting plans, child custody, and domestic violence to ensure that

1 those proceedings remain reliable and beneficial to the parties  
2 involved.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.44 RCW  
4 to read as follows:

5 (1) If a court determines that a false accusation of child abuse or  
6 neglect has been made during a proceeding under this title relating to  
7 a parenting plan or child custody, and the person making or the person  
8 enticing another to make the accusation knew it to be false at the time  
9 the accusation was made, the court may impose a monetary penalty, not  
10 to exceed one thousand dollars and reasonable attorneys' fees incurred  
11 in recovering the penalty, against the person making or the person  
12 enticing another to make the accusation. The remedy provided by this  
13 subsection is in addition to any other remedy or penalty provided by  
14 law.

15 (2) A person is guilty of a class C felony punishable under chapter  
16 9A.20 RCW if he or she intentionally makes or entices another to make  
17 a false accusation of child abuse or neglect during a proceeding under  
18 this title relating to a parenting plan or child custody and the person  
19 making or the person enticing another to make the accusation knew it to  
20 be false at the time the accusation is made.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 26.50 RCW  
22 to read as follows:

23 (1) If a court determines that a false accusation of domestic  
24 violence has been made in a petition filed under this chapter or during  
25 a proceeding under this chapter, and the person making or the person  
26 enticing another to make the accusation knew it to be false at the time  
27 the accusation was made, the court may impose a monetary penalty, not  
28 to exceed one thousand dollars and reasonable attorneys' fees incurred  
29 in recovering the penalty, against the person making or the person  
30 enticing another to make the accusation. The remedy provided by this  
31 subsection is in addition to any other remedy or penalty provided by  
32 law.

33 (2) A person is guilty of a class C felony punishable under chapter  
34 9A.20 RCW if he or she intentionally makes or entices another to make  
35 a false accusation of domestic violence in a petition filed under this  
36 chapter or during a proceeding under this chapter and the person making

1 or the person enticing another to make the accusation knew it to be  
2 false at the time the accusation is made.

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