SENATE BILL 5688

State of Washington 61st Legislature 2009 Regular Session

By Senators Murray, McDermott, Kohl-Welles, Fairley, Hobbs, Ranker, Pridemore, Kauffman, Kline, Keiser, Regala, Fraser, Prentice, Oemig, Franklin, McAuliffe, Jarrett, Brown, Kilmer, and Tom

Read first time 01/28/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to further expanding the rights and 2. responsibilities of state registered domestic partners; amending RCW 2.10.030, 6.27.140, 9A.44.010, 10.77.205, 11.88.030, 26.60.040, 3 26.60.090, 41.05.066, 41.16.010, 41.18.010, 49.78.020, 4 65.12.035, 71.05.425, 72.09.015, 72.09.712, 72.36.115, 77.36.010, 83.100.046, 5 83.100.047, and 84.04.050; adding a new section to chapter 26.60 RCW; 6 7 adding a new section to chapter 34.05 RCW; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding a 8 9 new section to chapter 2.14 RCW; adding a new section to chapter 2.56 RCW; adding a new section to chapter 4.24 RCW; adding a new section to 10 11 chapter 4.28 RCW; adding a new section to chapter 5.44 RCW; adding a new section to chapter 6.15 RCW; adding a new section to chapter 6.27 12 RCW; adding a new section to chapter 7.08 RCW; adding a new section to 13 14 chapter 7.68 RCW; adding a new section to chapter 9.58 RCW; adding a new section to chapter 9.68 RCW; adding a new section to chapter 9.68A 15 16 RCW; adding a new section to chapter 9.94A RCW; adding a new section to 17 chapter 9A.16 RCW; adding a new section to chapter 9A.40 RCW; adding a 18 new section to chapter 9A.44 RCW; adding a new section to chapter 10.77 RCW; adding a new section to chapter 10.95 RCW; adding a new section to 19 20 chapter 10.99 RCW; adding a new section to chapter 10.101 RCW; adding 21 a new section to chapter 11.40 RCW; adding a new section to chapter

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11.42 RCW; adding a new section to chapter 11.68 RCW; adding a new 1 2 section to chapter 11.88 RCW; adding a new section to chapter 11.94 RCW; adding a new section to chapter 11.95 RCW; adding a new section to 3 4 chapter 11.98 RCW; adding a new section to chapter 11.104A RCW; adding a new section to chapter 11.108 RCW; adding a new section to chapter 5 6 13.40 RCW; adding a new section to chapter 13.64 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 18.35 7 8 RCW; adding a new section to chapter 18.51 RCW; adding a new section to 9 chapter 18.96 RCW; adding a new section to chapter 18.118 RCW; adding 10 a new section to chapter 18.120 RCW; adding a new section to chapter 11 19.09 RCW; adding a new section to chapter 19.16 RCW; adding a new 12 section to chapter 19.36 RCW; adding a new section to chapter 19.40 13 RCW; adding a new section to chapter 19.120 RCW; adding a new section to chapter 19.205 RCW; adding a new section to chapter 19.220 RCW; 14 adding a new section to chapter 19.225 RCW; adding a new section to 15 16 chapter 21.20 RCW; adding a new section to chapter 21.35 RCW; adding a 17 new section to chapter 23B.08 RCW; adding a new section to chapter 23B.19 RCW; adding a new section to chapter 26.09 RCW; adding a new 18 19 section to chapter 26.18 RCW; adding a new section to chapter 26.21A 20 RCW; adding a new section to chapter 26.26 RCW; adding a new section to 21 chapter 26.27 RCW; adding a new section to chapter 26.33 RCW; adding a 22 new section to chapter 28B.10 RCW; adding a new section to chapter 23 28B.15 RCW; adding a new section to chapter 28B.50 RCW; adding a new 24 section to chapter 30.22 RCW; adding a new section to chapter 31.12 25 RCW; adding a new section to chapter 35.21 RCW; adding a new section to 26 chapter 35.54 RCW; adding a new section to chapter 35A.01 RCW; adding 27 a new section to chapter 36.17 RCW; adding a new section to chapter 36.88 RCW; adding a new section to chapter 38.42 RCW; adding a new 28 section to chapter 38.52 RCW; adding a new section to chapter 41.04 29 30 RCW; adding a new section to chapter 41.05 RCW; adding a new section to 31 chapter 41.06 RCW; adding a new section to chapter 41.16 RCW; adding a 32 new section to chapter 41.18 RCW; adding a new section to chapter 41.20 33 RCW; adding a new section to chapter 41.24 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.28 RCW; adding a 34 35 new section to chapter 41.32 RCW; adding a new section to chapter 41.34 36 RCW; adding a new section to chapter 41.35 RCW; adding a new section to 37 chapter 41.37 RCW; adding a new section to chapter 41.40 RCW; adding a 38 new section to chapter 41.44 RCW; adding a new section to chapter 41.50

RCW; adding a new section to chapter 41.54 RCW; adding a new section to 1 2 chapter 41.68 RCW; adding a new section to chapter 42.23 RCW; adding a new section to chapter 42.52 RCW; adding a new section to chapter 3 4 43.20B RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 43.56 RCW; adding a new section to chapter 43.180 5 6 RCW; adding a new section to chapter 43.215 RCW; adding a new section 7 to chapter 43.235 RCW; adding a new section to chapter 46.04 RCW; adding a new section to chapter 48.17 RCW; adding a new section to 8 9 chapter 48.18 RCW; adding a new section to chapter 48.20 RCW; adding a 10 new section to chapter 48.21 RCW; adding a new section to chapter 11 48.21A RCW; adding a new section to chapter 48.22 RCW; adding a new 12 section to chapter 48.23 RCW; adding a new section to chapter 48.24 13 RCW; adding a new section to chapter 48.25 RCW; adding a new section to chapter 48.29 RCW; adding a new section to chapter 48.30 RCW; adding a 14 15 new section to chapter 48.41 RCW; adding a new section to chapter 48.43 16 RCW; adding a new section to chapter 48.44 RCW; adding a new section to 17 chapter 48.46 RCW; adding a new section to chapter 48.66 RCW; adding a 18 new section to chapter 48.76 RCW; adding a new section to chapter 49.12 19 RCW; adding a new section to chapter 49.48 RCW; adding a new section to 20 chapter 49.74 RCW; adding a new section to chapter 49.77 RCW; adding a 21 new section to chapter 49.78 RCW; adding a new section to chapter 49.86 22 RCW; adding a new section to chapter 50.04 RCW; adding a new section to 23 chapter 51.08 RCW; adding a new section to chapter 59.18 RCW; adding a 24 new section to chapter 59.20 RCW; adding a new section to chapter 59.21 25 RCW; adding a new section to chapter 59.22 RCW; adding a new section to 26 chapter 62A.1 RCW; adding a new section to chapter 65.12 RCW; adding a 27 new section to chapter 66.24 RCW; adding a new section to chapter 67.70 RCW; adding a new section to chapter 68.04 RCW; adding a new section to 28 29 chapter 70.02 RCW; adding a new section to chapter 70.24 RCW; adding a 30 new section to chapter 70.47 RCW; adding a new section to chapter 31 70.47A RCW; adding a new section to chapter 70.122 RCW; adding a new 32 section to chapter 70.128 RCW; adding a new section to chapter 70.190 33 RCW; adding a new section to chapter 71.05 RCW; adding a new section to chapter 71.09 RCW; adding a new section to chapter 71.12 RCW; adding a 34 35 new section to chapter 71.32 RCW; adding a new section to chapter 36 71A.20 RCW; adding a new section to chapter 72.01 RCW; adding a new 37 section to chapter 72.09 RCW; adding a new section to chapter 72.23 38 RCW; adding a new section to chapter 72.36 RCW; adding a new section to

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chapter 72.64 RCW; adding a new section to chapter 73.16 RCW; adding a 1 2 new section to chapter 74.04 RCW; adding a new section to chapter 74.08A RCW; adding a new section to chapter 74.09 RCW; adding a new 3 4 section to chapter 74.09A RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 74.15 RCW; adding a new section to 5 6 chapter 74.20 RCW; adding a new section to chapter 74.20A RCW; adding a new section to chapter 74.34 RCW; adding a new section to chapter 7 8 74.41 RCW; adding a new section to chapter 77.08 RCW; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 80.28 9 10 RCW; adding a new section to chapter 81.28 RCW; adding a new section to 11 chapter 81.80 RCW; adding a new section to chapter 82.08 RCW; adding a 12 new section to chapter 83.100 RCW; adding a new section to chapter 83.110A RCW; adding a new section to chapter 84.04 RCW; adding a new 13 14 section to chapter 85.38 RCW; adding a new section to chapter 91.08 15 RCW; repealing RCW 26.60.050 and 26.60.055; and providing effective 16 dates.

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

NEW SECTION. Sec. 1. A new section is added to chapter 26.60 RCW to read as follows:

It is the intent of the legislature that for all purposes under state law, state registered domestic partners shall be treated the same as married spouses. Any privilege, immunity, right, benefit, or responsibility granted or imposed by statute, administrative or court rule, policy, common law or any other law to an individual because the individual is or was a spouse, or because the individual is or was an in-law in a specified way to another individual, is granted on equivalent terms, substantive and procedural, to an individual because the individual is or was in a state registered domestic partnership or because the individual is or was, based on a state registered domestic partnership, related in a specified way to another individual. The provisions of this act shall be liberally construed to achieve equal treatment, to the extent not in conflict with federal law, of state registered domestic partners and married spouses.

NEW SECTION. Sec. 2. A new section is added to chapter 34.05 RCW to read as follows:

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Agencies shall amend their rules to reflect the intent of the legislature to ensure that all privileges, immunities, rights, benefits, or responsibilities granted or imposed by statute to an individual because that individual is or was a spouse in a marital relationship are granted or imposed on equivalent terms to an individual because that individual is or was in a state registered domestic partnership.

8 <u>NEW SECTION.</u> **Sec. 3.** A new section is added to chapter 2.10 RCW 9 to read as follows:

10 For the purposes of this chapter, the terms spouse, marriage, 11 marital, husband, wife, widow, widower, next of kin, and family shall 12 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 13 14 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 15 domestic partnerships that have been terminated, dissolved, 16 17 invalidated, to the extent that such interpretation does not conflict 18 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 19 20 other law shall be construed to be gender neutral, and applicable to 21 individuals in state registered domestic partnerships.

22 **Sec. 4.** RCW 2.10.030 and 1997 c 88 s 5 are each amended to read as follows:

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- (1) "Retirement system" means the "Washington judicial retirement system" provided herein.
 - (2) "Judge" means a person elected or appointed to serve as judge of a court of record as provided in chapters 2.04, 2.06, and 2.08 RCW. "Judge" does not include a person serving as a judge pro tempore except for a judge pro tempore appointed under RCW 2.04.240(2) or 2.06.150(2).
- (3) "Retirement board" means the "Washington judicial retirement board" established herein.
- (4) "Surviving spouse" means the surviving widow or widower <u>or</u> <u>surviving state registered domestic partner</u> of a judge. "Surviving spouse" does not include the divorced spouse of a judge <u>or an individual whose state registered domestic partnership with the judge</u> has been terminated, dissolved, or invalidated.

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1 (5) "Retirement fund" means the "Washington judicial retirement fund" established herein.

- (6) "Beneficiary" means any person in receipt of a retirement allowance, disability allowance or any other benefit described herein.
- (7) "Monthly salary" means the monthly salary of the position held by the judge.
- (8) "Service" means all periods of time served as a judge, as herein defined. Any calendar month at the beginning or end of a term in which ten or more days are served shall be counted as a full month of service: PROVIDED, That no more than one month's service may be granted for any one calendar month. Only months of service will be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.
- (9) "Final average salary" means (a) for a judge in service in the same court for a minimum of twelve consecutive months preceding the date of retirement, the salary attached to the position held by the judge immediately prior to retirement; (b) for any other judge, the average monthly salary paid over the highest twenty-four month period in the last ten years of service.
- (10) "Retirement allowance" for the purpose of applying cost of living increases or decreases includes retirement allowances, disability allowances and survivorship benefit.
- (11) "Index" means for any calendar year, that year's annual average consumer price index for urban wage earners and clerical workers, all items (1957-1959 equal one hundred) -- compiled by the bureau of labor statistics, United States department of labor.
- 30 (12) "Accumulated contributions" means the total amount deducted 31 from the judge's monthly salary pursuant to RCW 2.10.090, together with 32 the regular interest thereon from July 1, 1988, as determined by the 33 director of the department of retirement systems.
- NEW SECTION. Sec. 5. A new section is added to chapter 2.12 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

11 <u>NEW SECTION.</u> **Sec. 6.** A new section is added to chapter 2.14 RCW 12 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 7. A new section is added to chapter 2.56 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

4 <u>NEW SECTION.</u> **Sec. 8.** A new section is added to chapter 4.24 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 9. A new section is added to chapter 4.28 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 10. A new section is added to chapter 5.44 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

11 <u>NEW SECTION.</u> **Sec. 11.** A new section is added to chapter 6.15 RCW 12 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 12. A new section is added to chapter 6.27 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

- **Sec. 13.** RCW 6.27.140 and 2003 c 222 s 6 are each amended to read 5 as follows:
 - (1) The notice required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in type no smaller than elite type:

NOTICE OF GARNISHMENT

AND OF YOUR RIGHTS

A Writ of Garnishment issued in a Washington court has been or will be served on the garnishee named in the attached copy of the writ. After receipt of the writ, the garnishee is required to withhold payment of any money that was due to you and to withhold any other property of yours that the garnishee held or controlled. This notice of your rights is required by law.

YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

WAGES. If the garnishee is your employer who owes wages or other personal earnings to you, your employer is required to pay amounts to you that are exempt under state and federal laws, as explained in the writ of garnishment. You should receive a copy of your employer's answer, which will show how the exempt amount was calculated. If the garnishment is for child support, the exempt amount paid to you will be forty percent of wages due you, but if you are supporting a spouse, state registered domestic partner, or dependent child, you are entitled to claim an additional ten percent as exempt.

BANK ACCOUNTS. If the garnishee is a bank or other institution with which you have an account in which you have deposited benefits such as Temporary Assistance for Needy Families, Supplemental Security Income (SSI), Social Security, veterans' benefits, unemployment compensation, or a United States pension, you may claim the account as fully exempt if you have deposited only such benefit funds in the account. It may be partially exempt even though you have deposited money from

other sources in the same account. An exemption is also available under RCW 26.16.200, providing that funds in a community bank account that can be identified as the earnings of a stepparent are exempt from a garnishment on the child support obligation of the parent.

OTHER EXEMPTIONS. If the garnishee holds other property of yours, some or all of it may be exempt under RCW 6.15.010, a Washington statute that exempts up to five hundred dollars of property of your choice (including up to one hundred dollars in cash or in a bank account) and certain property such as household furnishings, tools of trade, and a motor vehicle (all limited by differing dollar values).

HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and mail or deliver it as described in instructions on the claim form. If the plaintiff does not object to your claim, the funds or other property that you have claimed as exempt must be released not later than 10 days after the plaintiff receives your claim form. If the plaintiff objects, the law requires a hearing not later than 14 days after the plaintiff receives your claim form, and notice of the objection and hearing date will be mailed to you at the address that you put on the claim form.

THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY, AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS, BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY DELAY.

(2) The claim form required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in type no smaller than elite type:

29	[Caption to be filled in by judgment creditor		
30	or plaintiff before mailing.]		
31			
32	Name of Court		
33		No	
34	Plaintiff,		

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1	VS.
2	EXEMPTION CLAIM
3	Defendant,
4	
5	Garnishee Defendant
6	INSTRUCTIONS:
7	1. Read this whole form after reading the enclosed
8	notice. Then put an X in the box or boxes that
9	describe your exemption claim or claims and write in
10	the necessary information on the blank lines. If
11	additional space is needed, use the bottom of the last
12	page or attach another sheet.
13	2. Make two copies of the completed form. Deliver the
14	original form by first-class mail or in person to the
15	clerk of the court, whose address is shown at the
16	bottom of the writ of garnishment. Deliver one of
17	the copies by first-class mail or in person to the
18	plaintiff or plaintiff's attorney, whose name and
19	address are shown at the bottom of the writ. Keep
20	the other copy. YOU SHOULD DO THIS AS
21	QUICKLY AS POSSIBLE, BUT NO LATER
22	THAN 28 DAYS (4 WEEKS) AFTER THE DATE
23	ON THE WRIT.
24	I/We claim the following money or property as exempt:
25	IF BANK ACCOUNT IS GARNISHED:
26	[] The account contains payments from:
27	[] Temporary assistance for needy families, SSI, or
28	other public assistance. I receive \$ monthly.
29	[] Social Security. I receive \$ monthly.
30	[] Veterans' Benefits. I receive \$ monthly.
31	[] U.S. Government Pension. I receive \$
32	monthly.
33	[] Unemployment Compensation. I receive \$
34	monthly.

1	[] Child support. I receive \$ monthly.
2	[] Other. Explain
3	
4	IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,
5	ANSWER ONE OR BOTH OF THE FOLLOWING:
6	[] No money other than from above payments are in
7	the account.
8	[] Moneys in addition to the above payments have
9	been deposited in the account. Explain
10	
11	
12	IF EARNINGS ARE GARNISHED FOR CHILD
13	SUPPORT:
14	[] I claim maximum exemption.
15	[] I am supporting another child or other children.
16	[] I am supporting a husband ((or a)), wife, or state
17	registered domestic partner.
18	IF PENSION OR RETIREMENT BENEFITS ARE
19	GARNISHED:
20	[] Name and address of employer who is paying the
21	benefits:
22	
23	OTHER PROPERTY:
24	[] Describe property
25	
26	(If you claim other personal property as exempt, you
27	must attach a list of all other personal property that
28	you own.)
29	
30	Print: Your name If married or in a state
31	registered domestic
32	partnership,
33	name of husband/wife/state
34	registered domestic partner

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Τ		• • • • • • • • • • • • • • • • • • • •
2	Your signature	Signature of husband
3		((or)), wife, or state
4		registered domestic partner
5		
6		
7	Address	Address
8		(if different from yours)
9		
10	Telephone number	Telephone number
11		(if different from yours)

CAUTION: If the plaintiff objects to your claim, you will have to go to court and give proof of your claim. For example, if you claim that a bank account is exempt, you may have to show the judge your bank statements and papers that show the source of the money you deposited in the bank. Your claim may be granted more quickly if you attach copies of such proof to your claim.

- 18 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE 19 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE 20 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE 21 PLAINTIFF'S ATTORNEY FEES.
- NEW SECTION. Sec. 14. A new section is added to chapter 7.08 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. **Sec. 15.** A new section is added to chapter 7.68 RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 16. A new section is added to chapter 9.58 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 17. A new section is added to chapter 9.68 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 18. A new section is added to chapter 9.68A RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 9 marital, husband, wife, widow, widower, next of kin, and family shall 10 11 be interpreted as applying equally to state registered domestic 12 partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references 13 14 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 15 invalidated, to the extent that such interpretation does not conflict 16 17 with federal law. Where necessary to implement this act, gender-18 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 19 20 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 19. A new section is added to chapter 9.94A RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 23 24 marital, husband, wife, widow, widower, next of kin, and family shall 25 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 26 27 as well as to marital relationships and married persons, and references 28 to dissolution of marriage shall apply equally to state registered 29 domestic partnerships that have been terminated, dissolved, 30 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-31 specific terms such as husband and wife used in any statute, rule, or 32 33 other law shall be construed to be gender neutral, and applicable to 34 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 20. A new section is added to chapter 9A.16 RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 21. A new section is added to chapter 9A.40 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 22. A new section is added to chapter 9A.44 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- 7 **Sec. 23.** RCW 9A.44.010 and 2007 c 20 s 3 are each amended to read 8 as follows:

As used in this chapter:

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- (1) "Sexual intercourse" (a) has its ordinary meaning and occurs upon any penetration, however slight, and
- (b) Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and
- (c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.
- (2) "Sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.
- (3) "Married" means one who is legally married to <u>or in a state</u> registered domestic partnership with another, but does not include a person who is living separate and apart from his or her spouse <u>or domestic partner</u> and who has filed in an appropriate court for legal separation ((or)), for dissolution of his or her marriage, <u>or for termination</u> or dissolution of a state registered domestic partnership.
- (4) "Mental incapacity" is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause.
- 34 (5) "Physically helpless" means a person who is unconscious or for 35 any other reason is physically unable to communicate unwillingness to 36 an act.

(6) "Forcible compulsion" means physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped.

- (7) "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.
- 9 (8) "Significant relationship" means a situation in which the 10 perpetrator is:
 - (a) A person who undertakes the responsibility, professionally or voluntarily, to provide education, health, welfare, or organized recreational activities principally for minors;
- 14 (b) A person who in the course of his or her employment supervises 15 minors; or
 - (c) A person who provides welfare, health or residential assistance, personal care, or organized recreational activities to frail elders or vulnerable adults, including a provider, employee, temporary employee, volunteer, or independent contractor who supplies services to long-term care facilities licensed or required to be licensed under chapter 18.20, 18.51, 72.36, or 70.128 RCW, and home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW, but not including a consensual sexual partner.
 - (9) "Abuse of a supervisory position" means:
 - (a) To use a direct or indirect threat or promise to exercise authority to the detriment or benefit of a minor; or
- 28 (b) To exploit a significant relationship in order to obtain the 29 consent of a minor.
- 30 (10) "Person with a developmental disability," for purposes of RCW 31 9A.44.050(1)(c) and 9A.44.100(1)(c), means a person with a 32 developmental disability as defined in RCW 71A.10.020.
- 33 (11) "Person with supervisory authority," for purposes of RCW
 34 9A.44.050(1) (c) or (e) and 9A.44.100(1) (c) or (e), means any
 35 proprietor or employee of any public or private care or treatment
 36 facility who directly supervises developmentally disabled, mentally
 37 disordered, or chemically dependent persons at the facility.

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1 (12) "Person with a mental disorder" for the purposes of RCW 2 9A.44.050(1)(e) and 9A.44.100(1)(e) means a person with a "mental disorder" as defined in RCW 71.05.020.

- (13) "Person with a chemical dependency" for purposes of RCW 9A.44.050(1)(e) and 9A.44.100(1)(e) means a person who is "chemically dependent" as defined in RCW 70.96A.020(4).
- (14) "Health care provider" for purposes of RCW 9A.44.050 and 9A.44.100 means a person who is, holds himself or herself out to be, or provides services as if he or she were: (a) A member of a health care profession under chapter 18.130 RCW; or (b) registered under chapter 18.19 RCW or licensed under chapter 18.225 RCW, regardless of whether the health care provider is licensed, certified, or registered by the state.
- 14 (15) "Treatment" for purposes of RCW 9A.44.050 and 9A.44.100 means 15 the active delivery of professional services by a health care provider 16 which the health care provider holds himself or herself out to be 17 qualified to provide.
 - (16) "Frail elder or vulnerable adult" means a person sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself. "Frail elder or vulnerable adult" also includes a person found incapacitated under chapter 11.88 RCW, a person over eighteen years of age who has a developmental disability under chapter 71A.10 RCW, a person admitted to a long-term care facility that is licensed or required to be licensed under chapter 18.20, 18.51, 72.36, or 70.128 RCW, and a person receiving services from a home health, hospice, or home care agency licensed or required to be licensed under chapter 70.127 RCW.

NEW SECTION. Sec. 24. A new section is added to chapter 10.77 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict

- 1 with federal law. Where necessary to implement this act, gender-
- 2 specific terms such as husband and wife used in any statute, rule, or
- 3 other law shall be construed to be gender neutral, and applicable to
- 4 individuals in state registered domestic partnerships.

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- 5 **Sec. 25.** RCW 10.77.205 and 2000 c 94 s 17 are each amended to read 6 as follows:
 - (1)(a) At the earliest possible date, and in no event later than thirty days before conditional release, release, authorized furlough pursuant to RCW 10.77.163, or transfer to a less-restrictive facility than a state mental hospital, the superintendent shall send written notice of the conditional release, release, authorized furlough, or transfer of a person who has been found not guilty of a sex, violent, or felony harassment offense by reason of insanity and who is now in the custody of the department pursuant to this chapter, to the following:
 - (i) The chief of police of the city, if any, in which the person will reside; and
 - (ii) The sheriff of the county in which the person will reside.
- 19 (b) The same notice as required by (a) of this subsection shall be 20 sent to the following, if such notice has been requested in writing 21 about a specific person committed under this chapter:
 - (i) The victim of the crime for which the person was committed or the victim's next of kin if the crime was a homicide;
 - (ii) Any witnesses who testified against the person in any court proceedings; and
 - (iii) Any person specified in writing by the prosecuting attorney. Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.
 - (c) In addition to the notice requirements of (a) and (b) of this subsection, the superintendent shall comply with RCW 10.77.163.
- 34 (d) The thirty-day notice requirement contained in (a) and (b) of 35 this subsection shall not apply to emergency medical furloughs.
 - (e) The existence of the notice requirements in (a) and (b) of this

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subsection shall not require any extension of the release date in the event the release plan changes after notification.

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- (2) If a person who has been found not guilty of a sex, violent, or 3 felony harassment offense by reason of insanity and who is committed 4 under this chapter escapes, the superintendent shall immediately 5 notify, by the most reasonable and expedient means available, the chief 6 7 of police of the city and the sheriff of the county in which the person 8 resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the 9 10 victim, if any, of the crime for which the person was committed or the victim's next of kin if the crime was a homicide. The superintendent 11 12 shall also notify appropriate persons pursuant to RCW 10.77.165. 13 the person is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no 14 event later than two working days after the department learns of such 15 16 recapture.
 - (3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.
 - (4) The department shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.
- 24 (5) For purposes of this section the following terms have the following meanings:
 - (a) "Violent offense" means a violent offense under RCW 9.94A.030;
 - (b) "Sex offense" means a sex offense under RCW 9.94A.030;
- 28 (c) "Next of kin" means a person's spouse, <u>state registered</u>
 29 <u>domestic partner</u>, parents, siblings, and children;
- 30 (d) "Authorized furlough" means a furlough granted after compliance 31 with RCW 10.77.163;
- (e) "Felony harassment offense" means a crime of harassment as defined in RCW 9A.46.060 that is a felony.
- NEW SECTION. Sec. 26. A new section is added to chapter 10.95 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 27. A new section is added to chapter 10.99 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 28. A new section is added to chapter 10.101 26 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 29. A new section is added to chapter 11.40 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 30. A new section is added to chapter 11.42 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 31. A new section is added to chapter 11.68 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 32. A new section is added to chapter 11.88 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- Sec. 33. RCW 11.88.030 and 1996 c 249 s 8 are each amended to read as follows:
 - (1) Any person or entity may petition for the appointment of a qualified person, trust company, national bank, or nonprofit corporation authorized in RCW 11.88.020 as the guardian or limited guardian of an incapacitated person. No liability for filing a petition for guardianship or limited guardianship shall attach to a petitioner acting in good faith and upon reasonable basis. A petition for guardianship or limited guardianship shall state:
- 34 (a) The name, age, residence, and post office address of the 35 alleged incapacitated person;

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1 (b) The nature of the alleged incapacity in accordance with RCW 2 11.88.010;

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- (c) The approximate value and description of property, including any compensation, pension, insurance, or allowance, to which the alleged incapacitated person may be entitled;
- (d) Whether there is, in any state, a guardian or limited guardian, or pending guardianship action for the person or estate of the alleged incapacitated person;
- (e) The residence and post office address of the person whom petitioner asks to be appointed guardian or limited guardian;
- (f) The names and addresses, and nature of the relationship, so far as known or can be reasonably ascertained, of the persons most closely related by blood ((or)), marriage, or state registered domestic partnership to the alleged incapacitated person;
- (g) The name and address of the person or facility having the care and custody of the alleged incapacitated person;
- (h) The reason why the appointment of a guardian or limited guardian is sought and the interest of the petitioner in the appointment, and whether the appointment is sought as guardian or limited guardian of the person, the estate, or both;
- (i) A description of any alternate arrangements previously made by the alleged incapacitated person, such as trusts or powers of attorney, including identifying any guardianship nominations contained in a power of attorney, and why a guardianship is nevertheless necessary;
- (j) The nature and degree of the alleged incapacity and the specific areas of protection and assistance requested and the limitation of rights requested to be included in the court's order of appointment;
- (k) The requested term of the limited guardianship to be included in the court's order of appointment;
 - (1) Whether the petitioner is proposing a specific individual to act as guardian ad litem and, if so, the individual's knowledge of or relationship to any of the parties, and why the individual is proposed.
- 34 (2)(a) The attorney general may petition for the appointment of a 35 guardian or limited guardian in any case in which there is cause to 36 believe that a guardianship is necessary and no private party is able 37 and willing to petition.

- (b) Prepayment of a filing fee shall not be required in any guardianship or limited guardianship brought by the attorney general. Payment of the filing fee shall be ordered from the estate of the incapacitated person at the hearing on the merits of the petition, unless in the judgment of the court, such payment would impose a hardship upon the incapacitated person, in which case the filing shall be waived.
- (3) No filing fee shall be charged by the court for filing either a petition for guardianship or a petition for limited guardianship if the petition alleges that the alleged incapacitated person has total assets of a value of less than three thousand dollars.
- (4)(a) Notice that a guardianship proceeding has been commenced shall be personally served upon the alleged incapacitated person and the guardian ad litem along with a copy of the petition for appointment of a guardian. Such notice shall be served not more than five court days after the petition has been filed.
- (b) Notice under this subsection shall include a clear and easily readable statement of the legal rights of the alleged incapacitated person that could be restricted or transferred to a guardian by a guardianship order as well as the right to counsel of choice and to a jury trial on the issue of incapacity. Such notice shall be in substantially the following form and shall be in capital letters, double-spaced, and in a type size not smaller than ten-point type:

24 IMPORTANT NOTICE

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25 PLEASE READ CAREFULLY

A PETITION TO HAVE A GUARDIAN APPOINTED FOR YOU HAS BEEN FILED IN THE
COUNTY SUPERIOR COURT BY IF A GUARDIAN IS
APPOINTED, YOU COULD LOSE ONE OR MORE OF THE FOLLOWING RIGHTS:

- 29 (1) TO MARRY ((OR)), DIVORCE, <u>OR ENTER INTO OR END A STATE</u> 30 REGISTERED DOMESTIC PARTNERSHIP;
 - (2) TO VOTE OR HOLD AN ELECTED OFFICE;
 - (3) TO ENTER INTO A CONTRACT OR MAKE OR REVOKE A WILL;
 - (4) TO APPOINT SOMEONE TO ACT ON YOUR BEHALF;
- 34 (5) TO SUE AND BE SUED OTHER THAN THROUGH A GUARDIAN;
 - (6) TO POSSESS A LICENSE TO DRIVE;
- 36 (7) TO BUY, SELL, OWN, MORTGAGE, OR LEASE PROPERTY;
- 37 (8) TO CONSENT TO OR REFUSE MEDICAL TREATMENT;
- 38 (9) TO DECIDE WHO SHALL PROVIDE CARE AND ASSISTANCE;

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- 1 (10) TO MAKE DECISIONS REGARDING SOCIAL ASPECTS OF YOUR LIFE.
- 2 UNDER THE LAW, YOU HAVE CERTAIN RIGHTS.
- 3 YOU HAVE THE RIGHT TO BE REPRESENTED BY A LAWYER OF YOUR OWN CHOOSING.
- 4 THE COURT WILL APPOINT A LAWYER TO REPRESENT YOU IF YOU ARE UNABLE TO
- 5 PAY OR PAYMENT WOULD RESULT IN A SUBSTANTIAL HARDSHIP TO YOU.
- 6 YOU HAVE THE RIGHT TO ASK FOR A JURY TO DECIDE WHETHER OR NOT YOU NEED
- 7 A GUARDIAN TO HELP YOU.
- 8 YOU HAVE THE RIGHT TO BE PRESENT IN COURT AND TESTIFY WHEN THE HEARING
- 9 IS HELD TO DECIDE WHETHER OR NOT YOU NEED A GUARDIAN. IF A GUARDIAN AD
- 10 LITEM IS APPOINTED, YOU HAVE THE RIGHT TO REQUEST THE COURT TO REPLACE
- 11 THAT PERSON.
- 12 (5) All petitions filed under the provisions of this section shall
- 13 be heard within sixty days unless an extension of time is requested by
- 14 a party or the guardian ad litem within such sixty day period and
- 15 granted for good cause shown. If an extension is granted, the court
- 16 shall set a new hearing date.
- NEW SECTION. Sec. 34. A new section is added to chapter 11.94 RCW
- 18 to read as follows:
- 19 For the purposes of this chapter, the terms spouse, marriage,
- 20 marital, husband, wife, widow, widower, next of kin, and family shall
- 21 be interpreted as applying equally to state registered domestic
- 22 partnerships or individuals in state registered domestic partnerships
- 23 as well as to marital relationships and married persons, and references
- 24 to dissolution of marriage shall apply equally to state registered
- 25 domestic partnerships that have been terminated, dissolved, or
- 26 invalidated, to the extent that such interpretation does not conflict
- 27 with federal law. Where necessary to implement this act, gender-
- 28 specific terms such as husband and wife used in any statute, rule, or
- 29 other law shall be construed to be gender neutral, and applicable to
- 30 individuals in state registered domestic partnerships.
- 31 <u>NEW SECTION.</u> **Sec. 35.** A new section is added to chapter 11.95 RCW
- 32 to read as follows:
- For the purposes of this chapter, the terms spouse, marriage,
- 34 marital, husband, wife, widow, widower, next of kin, and family shall
- 35 be interpreted as applying equally to state registered domestic

partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 36. A new section is added to chapter 11.98 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 37. A new section is added to chapter 11.104A RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 38.** A new section is added to chapter 11.108 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 other law shall be construed to be gender neutral, and applicable to 15 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 39. A new section is added to chapter 13.40 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 40. A new section is added to chapter 13.64 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 41. A new section is added to chapter 18.20 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 42. A new section is added to chapter 18.35 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 43.** A new section is added to chapter 18.51 RCW 4 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 44. A new section is added to chapter 18.96 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 45. A new section is added to chapter 18.118 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 46. A new section is added to chapter 18.120 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 47. A new section is added to chapter 19.09 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 48.** A new section is added to chapter 19.16 RCW 4 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 49. A new section is added to chapter 19.36 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 50. A new section is added to chapter 19.40 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 51. A new section is added to chapter 19.120 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 52. A new section is added to chapter 19.205 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 53.** A new section is added to chapter 19.220 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 other law shall be construed to be gender neutral, and applicable to 15 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 54. A new section is added to chapter 19.225 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 55. A new section is added to chapter 21.20 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 56. A new section is added to chapter 21.35 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 57. A new section is added to chapter 23B.08 25 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 58.** A new section is added to chapter 23B.19 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 59. A new section is added to chapter 26.09 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 60. A new section is added to chapter 26.18 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 61. A new section is added to chapter 26.21A RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 62. A new section is added to chapter 26.26 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 63.** A new section is added to chapter 26.27 RCW 4 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 64. A new section is added to chapter 26.33 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- 31 **Sec. 65.** RCW 26.60.040 and 2007 c 156 s 5 are each amended to read 32 as follows:
- 33 (1) Two persons desiring to become state registered domestic 34 partners who meet the requirements of RCW 26.60.030 may register their 35 domestic partnership by filing a declaration of state registered

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domestic partnership with the secretary and paying the filing fee established pursuant to subsection (4) of this section. The declaration must be signed by both parties and notarized.

- (2) Upon receipt of a signed, notarized declaration and the filing fee, the secretary shall register the declaration and provide a certificate of state registered domestic partnership to each party named on the declaration.
- (3) The secretary shall permanently maintain a record of each declaration of state registered domestic partnership filed with the secretary. The secretary has the authority to update the records to reflect changes in the status of a state registered domestic partnership, such as a change of address, name, dissolution, or death. The secretary shall provide the state register of vital statistics with records of declarations of state registered domestic partnerships.
- 15 (4) The secretary shall set by rule and collect a reasonable fee 16 for filing the declaration, calculated to cover the secretary's costs, 17 but not to exceed fifty dollars. Fees collected under this section are 18 expressly designated for deposit in the secretary of state's revolving 19 fund established under RCW 43.07.130.
- **Sec. 66.** RCW 26.60.090 and 2008 c 6 s 1101 are each amended to 21 read as follows:

A legal union of two persons of the same sex, other than a marriage, that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership under this chapter, shall be recognized as a valid domestic partnership in this state and shall be treated the same as a domestic partnership registered in this state regardless of whether it bears the name domestic partnership.

NEW SECTION. Sec. 67. A new section is added to chapter 28B.10 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or

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- 1 invalidated, to the extent that such interpretation does not conflict
- 2 with federal law. Where necessary to implement this act, gender-
- 3 specific terms such as husband and wife used in any statute, rule, or
- 4 other law shall be construed to be gender neutral, and applicable to
- 5 individuals in state registered domestic partnerships.
- 6 <u>NEW SECTION.</u> **Sec. 68.** A new section is added to chapter 28B.15 7 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 8 9 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 10 11 partnerships or individuals in state registered domestic partnerships 12 as well as to marital relationships and married persons, and references 13 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 14 15 invalidated, to the extent that such interpretation does not conflict 16 with federal law. Where necessary to implement this act, gender-17 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 18 individuals in state registered domestic partnerships. The rules and 19 20 time periods to establish residency that apply to spouses of Washington 21 residents shall apply equally to state registered domestic partners of 22 Washington residents.
- NEW SECTION. Sec. 69. A new section is added to chapter 28B.50 RCW to read as follows:
- 25 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 26 27 be interpreted as applying equally to state registered domestic 28 partnerships or individuals in state registered domestic partnerships 29 as well as to marital relationships and married persons, and references 30 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or 31 invalidated, to the extent that such interpretation does not conflict 32 33 with federal law. Where necessary to implement this act, gender-34 specific terms such as husband and wife used in any statute, rule, or 35 other law shall be construed to be gender neutral, and applicable to 36 individuals in state registered domestic partnerships.

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NEW SECTION. Sec. 70. A new section is added to chapter 30.22 RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 71. A new section is added to chapter 31.12 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 72. A new section is added to chapter 35.21 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 73. A new section is added to chapter 35.54 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 9 marital, husband, wife, widow, widower, next of kin, and family shall 10 11 be interpreted as applying equally to state registered domestic 12 partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references 13 14 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 15 invalidated, to the extent that such interpretation does not conflict 16 17 with federal law. Where necessary to implement this act, gender-18 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 19 20 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 74. A new section is added to chapter 35A.01 22 RCW to read as follows:
 - For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

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NEW SECTION. **Sec. 75.** A new section is added to chapter 36.17 RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 76. A new section is added to chapter 36.88 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 77. A new section is added to chapter 38.42 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 78. A new section is added to chapter 38.52 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 9 marital, husband, wife, widow, widower, next of kin, and family shall 10 11 be interpreted as applying equally to state registered domestic 12 partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references 13 14 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 15 invalidated, to the extent that such interpretation does not conflict 16 17 with federal law. Where necessary to implement this act, gender-18 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 19 20 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 79. A new section is added to chapter 41.04 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 23 24 marital, husband, wife, widow, widower, next of kin, and family shall 25 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 26 27 as well as to marital relationships and married persons, and references 28 to dissolution of marriage shall apply equally to state registered 29 domestic partnerships that have been terminated, dissolved, 30 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-31 specific terms such as husband and wife used in any statute, rule, or 32 33 other law shall be construed to be gender neutral, and applicable to 34 individuals in state registered domestic partnerships.

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NEW SECTION. **Sec. 80.** A new section is added to chapter 41.05 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

Sec. 81. RCW 41.05.066 and 2007 c 156 s 9 are each amended to read 16 as follows:

A certificate of domestic partnership issued ((to a couple of the same sex)) under the provisions of RCW 26.60.030 shall be recognized as evidence of a qualified ((same sex)) domestic partnership fulfilling all necessary eligibility criteria for the partner of the employee to receive benefits. Nothing in this section affects the requirements of ((same sex)) domestic partners to complete documentation related to federal tax status that may currently be required by the board for employees choosing to make premium payments on a pretax basis.

NEW SECTION. Sec. 82. A new section is added to chapter 41.06 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

4 <u>NEW SECTION.</u> **Sec. 83.** A new section is added to chapter 41.16 RCW to read as follows:

6 For the purposes of this chapter, the terms spouse, marriage, 7 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 8 9 partnerships or individuals in state registered domestic partnerships 10 as well as to marital relationships and married persons, and references 11 to dissolution of marriage shall apply equally to state registered 12 domestic partnerships that have been terminated, dissolved, 13 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-14 specific terms such as husband and wife used in any statute, rule, or 15 16 other law shall be construed to be gender neutral, and applicable to 17 individuals in state registered domestic partnerships.

18 **Sec. 84.** RCW 41.16.010 and 2007 c 218 s 18 are each amended to 19 read as follows:

For the purpose of this chapter, unless clearly indicated by the context, words and phrases shall have the following meaning:

- (1) "Beneficiary" shall mean any person or persons designated by a firefighter in a writing filed with the board, and who shall be entitled to receive any benefits of a deceased firefighter under this chapter.
 - (2) "Board" shall mean the municipal firefighters' pension board.
- 27 (3) "Child or children" shall mean a child or children unmarried 28 and under eighteen years of age.
- 29 (4) "Contributions" shall mean and include all sums deducted from 30 the salary of firefighters and paid into the fund as hereinafter 31 provided.
 - (5) "Disability" shall mean and include injuries or sickness sustained as a result of the performance of duty.
- 34 (6) "Firefighter" shall mean any person regularly or temporarily, 35 or as a substitute, employed and paid as a member of a fire department,

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who has passed a civil service examination for firefighter and who is actively employed as a firefighter; and shall include any "prior firefighter."

- (7) "Fire department" shall mean the regularly organized, full time, paid, and employed force of firefighters of the municipality.
- 6 (8) "Fund" shall mean the firefighters' pension fund created 7 herein.
 - (9) "Municipality" shall mean every city and town having a regularly organized full time, paid, fire department employing firefighters.
 - (10) "Performance of duty" shall mean the performance of work and labor regularly required of firefighters and shall include services of an emergency nature rendered while off regular duty, but shall not include time spent in traveling to work before answering roll call or traveling from work after dismissal at roll call.
 - (11) "Prior firefighter" shall mean a firefighter who was actively employed as a firefighter of a fire department prior to the first day of January, 1947, and who continues such employment thereafter.
 - (12) "Retired firefighter" shall mean and include a person employed as a firefighter and retired under the provisions of chapter 50, Laws of 1909, as amended.
 - (13) "Widow or widower" means the surviving wife $((\Theta_T))_+$ husband, or state registered domestic partner of a retired firefighter who was retired on account of length of service and who was lawfully married to, or in a state registered domestic partnership with, such firefighter; and whenever that term is used with reference to the wife or former wife $((\Theta_T))_+$ husband or former husband, or current or former state registered domestic partner of a retired firefighter who was retired because of disability, it shall mean his or her lawfully married wife $((\Theta_T))_+$ husband, or state registered domestic partner on the date he or she sustained the injury or contracted the illness that resulted in his or her disability. Said term shall not mean or include a surviving wife $((\Theta_T))_+$ husband, or state registered domestic partner who by process of law within one year prior to the retired firefighter's death, collected or attempted to collect from him or her funds for the support of herself or himself or for his or her children.

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NEW SECTION. Sec. 85. A new section is added to chapter 41.18 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict Where necessary to implement this act, genderwith federal law. specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

Sec. 86. RCW 41.18.010 and 2007 c 218 s 41 are each amended to 16 read as follows:

For the purpose of this chapter, unless clearly indicated otherwise by the context, words and phrases shall have the meaning hereinafter ascribed.

- (1) "Beneficiary" shall mean any person or persons designated by a firefighter in a writing filed with the board, and who shall be entitled to receive any benefits of a deceased firefighter under this chapter.
- (2) "Firefighter" means any person hereafter regularly or temporarily, or as a substitute newly employed and paid as a member of a fire department, who has passed a civil service examination for firefighters and who is actively employed as a firefighter or, if provided by the municipality by appropriate local legislation, as a fire dispatcher: PROVIDED, Nothing in chapter 209, Laws of 1969 ex. sess. shall impair or permit the impairment of any vested pension rights of persons who are employed as fire dispatchers at the time chapter 209, Laws of 1969 ex. sess. takes effect; and any person heretofore regularly or temporarily, or as a substitute, employed and paid as a member of a fire department, and who has contributed under and been covered by the provisions of chapter 41.16 RCW as now or hereafter amended and who has come under the provisions of this chapter

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in accordance with RCW 41.18.170 and who is actively engaged as a firefighter or as a member of the fire department as a firefighter or fire dispatcher.

- (3) "Retired firefighter" means and includes a person employed as a firefighter and retired under the provisions of this chapter.
- (4) "Basic salary" means the basic monthly salary, including longevity pay, attached to the rank held by the retired firefighter at the date of his or her retirement, without regard to extra compensation which such firefighter may have received for special duties assignments not acquired through civil service examination: PROVIDED, That such basic salary shall not be deemed to exceed the salary of a battalion chief.
- (5) "Widow or widower" means the surviving spouse of a firefighter and shall include the surviving wife ((or)), husband, or state registered domestic partner of a firefighter, retired on account of length of service, who was lawfully married to, or in a state registered domestic partnership with, him or to her for a period of five years prior to the time of his or her retirement; and the surviving wife ((or)), husband, or state registered domestic partner of a firefighter, retired on account of disability, who was lawfully married to, or in a state registered domestic partnership with, him or her at and prior to the time he or she sustained the injury or contracted the illness resulting in his or her disability. The word shall not mean the divorced wife or husband or former state registered domestic partner of an active or retired firefighter.
- (6) "Child" or "children" means a firefighter's child or children under the age of eighteen years, unmarried, and in the legal custody of such firefighter at the time of his death or her death.
- (7) "Earned interest" means and includes all annual increments to the firefighters' pension fund from income earned by investment of the fund. The earned interest payable to any firefighter when he or she leaves the service and accepts his or her contributions, shall be that portion of the total earned income of the fund which is directly attributable to each individual firefighter's contributions. Earnings of the fund for the preceding year attributable to individual contributions shall be allocated to individual firefighters' accounts as of January 1st of each year.
 - (8) "Board" shall mean the municipal firefighters' pension board.

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(9) "Contributions" shall mean and include all sums deducted from 1 the salary of firefighters and paid into the fund as hereinafter 2 3 provided.

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- (10) "Disability" shall mean and include injuries or sickness sustained by a firefighter.
- (11) "Fire department" shall mean the regularly organized, full 7 time, paid, and employed force of firefighters of the municipality.
- 8 (12) "Fund" shall have the same meaning as in RCW 41.16.010 as now or hereafter amended. Such fund shall be created in the manner and be 9 10 subject to the provisions specified in chapter 41.16 RCW as now or 11 hereafter amended.
- 12 (13) "Municipality" shall mean every city, town and fire protection 13 district having a regularly organized full time, paid, fire department 14 employing firefighters.
- (14) "Performance of duty" shall mean the performance of work or 15 labor regularly required of firefighters and shall include services of 16 17 an emergency nature normally rendered while off regular duty.
- NEW SECTION. Sec. 87. A new section is added to chapter 41.20 RCW 18 19 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- 32 NEW SECTION. Sec. 88. A new section is added to chapter 41.24 RCW to read as follows: 33
- 34 For the purposes of this chapter, the terms spouse, marriage, 35 marital, husband, wife, widow, widower, next of kin, and family shall 36 be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 89. A new section is added to chapter 41.26 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 90. A new section is added to chapter 41.28 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 91.** A new section is added to chapter 41.32 RCW 4 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 92. A new section is added to chapter 41.34 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 93. A new section is added to chapter 41.35 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 94. A new section is added to chapter 41.37 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 95. A new section is added to chapter 41.40 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 96.** A new section is added to chapter 41.44 RCW 4 to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 97. A new section is added to chapter 41.50 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 98. A new section is added to chapter 41.54 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 99. A new section is added to chapter 41.68 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 100. A new section is added to chapter 42.23 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- 1 other law shall be construed to be gender neutral, and applicable to
- 2 individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 101.** A new section is added to chapter 42.52 4 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 102. A new section is added to chapter 43.20B RCW to read as follows:
- 19 For the purposes of this chapter, the terms spouse, marriage, 20 marital, husband, wife, widow, widower, next of kin, and family shall interpreted as applying equally to state registered domestic 21 22 partnerships or individuals in state registered domestic partnerships 23 as well as to marital relationships and married persons, and references 24 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or 25 26 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-27 specific terms such as husband and wife used in any statute, rule, or 28 29 other law shall be construed to be gender neutral, and applicable to 30 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 103. A new section is added to chapter 43.43 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 104. A new section is added to chapter 43.56
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 105. A new section is added to chapter 43.180 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 106.** A new section is added to chapter 43.215 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 other law shall be construed to be gender neutral, and applicable to 15 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 107. A new section is added to chapter 43.235 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 108. A new section is added to chapter 46.04 RCW to read as follows:
- For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 109. A new section is added to chapter 48.17
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 110. A new section is added to chapter 48.18 25 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 111.** A new section is added to chapter 48.20 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 112. A new section is added to chapter 48.21 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 113. A new section is added to chapter 48.21A RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 114. A new section is added to chapter 48.22 11 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 115. A new section is added to chapter 48.23 25 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

3 <u>NEW SECTION.</u> **Sec. 116.** A new section is added to chapter 48.24 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 117. A new section is added to chapter 48.25 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 118. A new section is added to chapter 48.29
 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 119. A new section is added to chapter 48.30 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 120. A new section is added to chapter 48.41 25 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to 1
- 2 individuals in state registered domestic partnerships.
- 3 NEW SECTION. Sec. 121. A new section is added to chapter 48.43 4 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 122. A new section is added to chapter 48.44 17 18 RCW to read as follows:
- 19 For the purposes of this chapter, the terms spouse, marriage, 20 marital, husband, wife, widow, widower, next of kin, and family shall interpreted as applying equally to state registered domestic 22 partnerships or individuals in state registered domestic partnerships 23 as well as to marital relationships and married persons, and references 24 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or 25 26 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-27 specific terms such as husband and wife used in any statute, rule, or 28 other law shall be construed to be gender neutral, and applicable to 29 30 individuals in state registered domestic partnerships.
- NEW SECTION. 31 Sec. 123. A new section is added to chapter 48.46 RCW to read as follows: 32
- 33 For the purposes of this chapter, the terms spouse, marriage, 34 marital, husband, wife, widow, widower, next of kin, and family shall 35 be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 124. A new section is added to chapter 48.66
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 125. A new section is added to chapter 48.76 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- 1 other law shall be construed to be gender neutral, and applicable to
- 2 individuals in state registered domestic partnerships.
- 3 <u>NEW SECTION.</u> **Sec. 126.** A new section is added to chapter 49.12 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 10 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 15 other law shall be construed to be gender neutral, and applicable to 16 individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 127. A new section is added to chapter 49.48
 RCW to read as follows:
- 19 For the purposes of this chapter, the terms spouse, marriage, 20 marital, husband, wife, widow, widower, next of kin, and family shall 21 interpreted as applying equally to state registered domestic 22 partnerships or individuals in state registered domestic partnerships 23 as well as to marital relationships and married persons, and references 24 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or 25 26 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-27 specific terms such as husband and wife used in any statute, rule, or 28 29 other law shall be construed to be gender neutral, and applicable to 30 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 128. A new section is added to chapter 49.74 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic

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NEW SECTION. Sec. 129. A new section is added to chapter 49.77
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 130. A new section is added to chapter 49.78 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or

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- other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
 - Sec. 131. RCW 49.78.020 and 2006 c 59 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is: (a) Under eighteen years of age; or (b) eighteen years of age or older and incapable of self-care because of a mental or physical disability.
 - (2) "Department" means the department of labor and industries.
 - (3) "Director" means the director of the department.

- (4)(a) "Employee" means a person who has been employed: (i) For at least twelve months by the employer with respect to whom leave is requested under RCW 49.78.220; and (ii) for at least one thousand two hundred fifty hours of service with the employer during the previous twelve-month period.
- (b) "Employee" does not mean a person who is employed at a worksite at which the employer as defined in (a) of this subsection employs less than fifty employees if the total number of employees employed by that employer within seventy-five miles of that worksite is less than fifty.
- (5) "Employer" means: (a) Any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and includes any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision, which employs fifty or more employees for each working day during each of twenty or more calendar workweeks in the current or preceding calendar year; (b) the state, state institutions, and state agencies; and (c) any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision.
- (6) "Employment benefits" means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave,

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educational benefits, and pensions except benefits that are provided by a practice or written policy of an employer or through an employee benefit plan as defined in 29 U.S.C. Sec. 1002(3).

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- (7) "Family member" means a child, parent, ((or)) spouse, or state registered domestic partner of an employee.
- (8) "Health care provider" means: (a) A person licensed as a physician under chapter 18.71 RCW or an osteopathic physician and surgeon under chapter 18.57 RCW; (b) a person licensed as an advanced registered nurse practitioner under chapter 18.79 RCW; or (c) any other person determined by the director to be capable of providing health care services.
- 12 (9) "Intermittent leave" is leave taken in separate blocks of time 13 due to a single qualifying reason.
- 14 (10) "Leave for a family member's serious health condition" means 15 leave as described in RCW 49.78.220(1)(c).
- 16 (11) "Leave for the birth or placement of a child" means leave as 17 described in RCW 49.78.220(1) (a) or (b).
 - (12) "Leave for the employee's serious health condition" means leave as described in RCW 49.78.220(1)(d).
 - (13) "Parent" means the biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
 - (14) "Period of incapacity" means an inability to work, attend school, or perform other regular daily activities because of the serious health condition, treatment of that condition or recovery from it, or subsequent treatment in connection with such inpatient care.
 - (15) "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
- 30 (16)(a) "Serious health condition" means an illness, injury, 31 impairment, or physical or mental condition that involves:
- (i) Inpatient care in a hospital, hospice, or residential medicalcare facility, including any period of incapacity; or
 - (ii) Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - (A) A period of incapacity of more than three consecutive calendar

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days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

- (I) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or
- (II) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
- (B) Any period of incapacity due to pregnancy, or for prenatal care;
- (C) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
- (I) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- (II) Continues over an extended period of time, including recurring episodes of a single underlying condition; and
- (III) May cause episodic rather than a continuing period of incapacity;
- (D) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
- (E) Any period of absence to receive multiple treatments, including any period of recovery from the treatments, by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, or kidney disease.
- (b) Treatment for purposes of (a) of this subsection includes, but is not limited to, examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations. Under (a)(ii)(A)(II) of this subsection, a regimen of

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continuing treatment includes, but is not limited to, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of continuing treatment that includes taking over-the-counter medications, such as aspirin, antihistamines, or salves, or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of this chapter.

- (c) Conditions for which cosmetic treatments are administered are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, and periodontal disease are examples of conditions that do not meet the definition of a "serious health condition" and do not qualify for leave under this chapter. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this section are met. Mental illness resulting from stress or allergies may be serious health conditions provided all the other conditions of this section are met.
 - (d) Substance abuse may be a serious health condition if the conditions of this section are met. However, leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care services upon referral by a health care provider. Absence from work because of the employee's use of the substance, rather than for treatment, does not qualify for leave under this chapter.
- (e) Absences attributable to incapacity under (a)(ii)(B) or (C) of this subsection qualify for leave under this chapter even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days.
- 34 (17) "Spouse" means a husband or wife, as the case may be, or state 35 registered domestic partner.
- NEW SECTION. Sec. 132. A new section is added to chapter 49.86 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, 1 2 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 3 partnerships or individuals in state registered domestic partnerships 4 5 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 6 7 domestic partnerships that have been terminated, dissolved, 8 invalidated, to the extent that such interpretation does not conflict 9 with federal law. Where necessary to implement this act, gender-10 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 11 12 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 133. A new section is added to chapter 50.04 RCW to read as follows:

For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 134. A new section is added to chapter 51.08 RCW to read as follows:

For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict

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- 1 with federal law. Where necessary to implement this act, gender-
- 2 specific terms such as husband and wife used in any statute, rule, or
- 3 other law shall be construed to be gender neutral, and applicable to
- 4 individuals in state registered domestic partnerships.
- 5 <u>NEW SECTION.</u> **Sec. 135.** A new section is added to chapter 59.18 6 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic
- 10 partnerships or individuals in state registered domestic partnerships
- as well as to marital relationships and married persons, and references
- 12 to dissolution of marriage shall apply equally to state registered
- 13 domestic partnerships that have been terminated, dissolved, or
- 14 invalidated, to the extent that such interpretation does not conflict
- 15 with federal law. Where necessary to implement this act, gender-
- 16 specific terms such as husband and wife used in any statute, rule, or
- 17 other law shall be construed to be gender neutral, and applicable to
- 18 individuals in state registered domestic partnerships.
- 19 <u>NEW SECTION.</u> **Sec. 136.** A new section is added to chapter 59.20
- 20 RCW to read as follows:
- 21 For the purposes of this chapter, the terms spouse, marriage,
- 22 marital, husband, wife, widow, widower, next of kin, and family shall
- 23 be interpreted as applying equally to state registered domestic
- 24 partnerships or individuals in state registered domestic partnerships
- 25 as well as to marital relationships and married persons, and references
- 26 to dissolution of marriage shall apply equally to state registered
- 27 domestic partnerships that have been terminated, dissolved, or
- 28 invalidated, to the extent that such interpretation does not conflict
- 29 with federal law. Where necessary to implement this act, gender-
- 30 specific terms such as husband and wife used in any statute, rule, or
- 31 other law shall be construed to be gender neutral, and applicable to
- individuals in state registered domestic partnerships.
- 33 <u>NEW SECTION.</u> **Sec. 137.** A new section is added to chapter 59.21
- 34 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage,

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marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict Where necessary to implement this act, genderwith federal law. specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 138. A new section is added to chapter 59.22 13 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 139. A new section is added to chapter 62A.1 27 RCW to read as follows:

For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

4 <u>NEW SECTION.</u> **Sec. 140.** A new section is added to chapter 65.12 5 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

Sec. 141. RCW 65.12.035 and 1907 c 250 s 7 are each amended to 19 read as follows:

The form of application may, with appropriate changes, be substantially as follows:

22	FORM OF APPLICATION FOR
23	INITIAL REGISTRATION OF TITLE TO LAND
24	State of Washington
25	ss.
26	County of,
27	In the superior court of the state of Washington in and for
28	county.
29	In the matter of the
30	application of
31	to register the title PETITION
32	to the land hereinafter
33	described

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1	To the Honorable , judge of said court: I hereby
2	make application to have registered the title to the land
3	hereinafter described, and do solemnly swear that the
4	answers to the questions herewith, and the statements herein
5	contained, are true to the best of my knowledge,
6	information and belief.
7	First. Name of applicant, , age, years.
8	Residence, (number and street, if any).
9	Married to or in a state registered domestic partnership with
10	(name of husband $((\Theta r))$, wife, or state registered
11	domestic partner).
12	Second. Applications made by , acting as
13	(owner, agent or attorney). Residence,
14	(number, street).
15	Third. Description of real estate is as follows:
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20	estate or interest therein is and subject to
21	homestead.
22	Fourth. The land is occupied by
23	(names of occupants), whose address is
24	(number street and town or city). The estate, interest or
25	claim of occupant is
26	Fifth. Liens and incumbrances on the land
27	Name of holder or owner thereof is Whose post
28	office address is Amount of claim, \$
29	Recorded, Book, page, of the records of said
30	county.
31	Sixth. Other persons, firm or corporation having or
32	claiming any estate, interest or claim in law or equity, in
33	possession, remainder, reversion or expectancy in said land
34	are whose addresses are respectively.
35	Character of estate, interest or claim is

1	Seventh. Other facts connected with said land and
2	appropriate to be considered in this registration proceeding
3	are
4	Eighth. Therefore, the applicant prays this honorable
5	court to find or declare the title or interest of the applicant
6	in said land and decree the same, and order the registrar of
7	titles to register the same and to grant such other and further
8	relief as may be proper in the premises.
9	
10	(Applicant's signature)
11	By , agent, attorney, administrator or guardian.
12	Subscribed and sworn to before me this day of
13	, A.D. 19
14	
15	Notary Public in and for the state
16	of Washington, residing at

NEW SECTION. Sec. 142. A new section is added to chapter 66.24 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 143. A new section is added to chapter 67.70 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships

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- 1 as well as to marital relationships and married persons, and references
- 2 to dissolution of marriage shall apply equally to state registered
- 3 domestic partnerships that have been terminated, dissolved, or
- 4 invalidated, to the extent that such interpretation does not conflict
- 5 with federal law. Where necessary to implement this act, gender-
- 6 specific terms such as husband and wife used in any statute, rule, or
- 7 other law shall be construed to be gender neutral, and applicable to
- 8 individuals in state registered domestic partnerships.
- 9 <u>NEW SECTION.</u> **Sec. 144.** A new section is added to chapter 68.04 10 RCW to read as follows:
- For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall
- 13 be interpreted as applying equally to state registered domestic
- 14 partnerships or individuals in state registered domestic partnerships
- 15 as well as to marital relationships and married persons, and references
- 16 to dissolution of marriage shall apply equally to state registered
- 17 domestic partnerships that have been terminated, dissolved, or
- 18 invalidated, to the extent that such interpretation does not conflict
- 19 with federal law. Where necessary to implement this act, gender-
- 20 specific terms such as husband and wife used in any statute, rule, or
- 21 other law shall be construed to be gender neutral, and applicable to
- 22 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 145. A new section is added to chapter 70.02 RCW to read as follows:

25 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 26 27 be interpreted as applying equally to state registered domestic 28 partnerships or individuals in state registered domestic partnerships 29 as well as to marital relationships and married persons, and references 30 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 31 invalidated, to the extent that such interpretation does not conflict 32

- 33 with federal law. Where necessary to implement this act, gender-
- 34 specific terms such as husband and wife used in any statute, rule, or
- 35 other law shall be construed to be gender neutral, and applicable to
- 36 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 146. A new section is added to chapter 70.24
RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 147. A new section is added to chapter 70.47 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 148. A new section is added to chapter 70.47A RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- 7 <u>NEW SECTION.</u> **Sec. 149.** A new section is added to chapter 70.122 8 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 9 marital, husband, wife, widow, widower, next of kin, and family shall 10 11 be interpreted as applying equally to state registered domestic 12 partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references 13 14 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 15 16 invalidated, to the extent that such interpretation does not conflict 17 with federal law. Where necessary to implement this act, gender-18 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 19 20 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 150. A new section is added to chapter 70.128 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 23 24 marital, husband, wife, widow, widower, next of kin, and family shall 25 be interpreted as applying equally to state registered domestic 26 partnerships or individuals in state registered domestic partnerships 27 as well as to marital relationships and married persons, and references 28 to dissolution of marriage shall apply equally to state registered 29 domestic partnerships that have been terminated, dissolved, 30 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-31 specific terms such as husband and wife used in any statute, rule, or 32 33 other law shall be construed to be gender neutral, and applicable to 34 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 151. A new section is added to chapter 70.190
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict Where necessary to implement this act, genderwith federal law. specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 152. A new section is added to chapter 71.05 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

Sec. 153. RCW 71.05.425 and 2008 c 213 s 10 are each amended to 30 read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than thirty days before conditional release, final release, authorized leave under RCW 71.05.325(2), or transfer to a facility other than a state mental hospital, the superintendent shall send written notice of conditional release, release, authorized leave, or transfer of a person committed

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under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) to the following:

- (i) The chief of police of the city, if any, in which the person will reside; and
 - (ii) The sheriff of the county in which the person will reside.
- (b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4):
- (i) The victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3)(c) or the victim's next of kin if the crime was a homicide;
- 16 (ii) Any witnesses who testified against the person in any court 17 proceedings; and
 - (iii) Any person specified in writing by the prosecuting attorney. Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.
 - (c) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical transfers.
 - (d) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.
 - (2) If a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3) or the victim's next

of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to RCW 71.05.390(18). If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

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- (3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.
- (4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.
- 14 (5) For purposes of this section the following terms have the following meanings:
 - (a) "Violent offense" means a violent offense under RCW 9.94A.030;
 - (b) "Sex offense" means a sex offense under RCW 9.94A.030;
- 18 (c) "Next of kin" means a person's spouse, <u>state registered</u>
 19 <u>domestic partner</u>, parents, siblings, and children;
- 20 (d) "Felony harassment offense" means a crime of harassment as 21 defined in RCW 9A.46.060 that is a felony.
- NEW SECTION. Sec. 154. A new section is added to chapter 71.09
 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

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NEW SECTION. Sec. 155. A new section is added to chapter 71.12
RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 specific terms such as husband and wife used in any statute, rule, or 12 13 other law shall be construed to be gender neutral, and applicable to 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 156. A new section is added to chapter 71.32 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 157. A new section is added to chapter 71A.20 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered

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- 1 domestic partnerships that have been terminated, dissolved, or
- 2 invalidated, to the extent that such interpretation does not conflict
- 3 with federal law. Where necessary to implement this act, gender-
- 4 specific terms such as husband and wife used in any statute, rule, or
- 5 other law shall be construed to be gender neutral, and applicable to
- 6 individuals in state registered domestic partnerships.
- 7 <u>NEW SECTION.</u> **Sec. 158.** A new section is added to chapter 72.01 8 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 9 marital, husband, wife, widow, widower, next of kin, and family shall 10 11 be interpreted as applying equally to state registered domestic 12 partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references 13 14 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 15 invalidated, to the extent that such interpretation does not conflict 16 17 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 18 other law shall be construed to be gender neutral, and applicable to 19 20 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 159. A new section is added to chapter 72.09
 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

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1 **Sec. 160.** RCW 72.09.015 and 2008 c 231 s 47 are each amended to read as follows:

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The definitions in this section apply throughout this chapter.

- (1) "Adult basic education" means education or instruction designed to achieve general competence of skills in reading, writing, and oral communication, including English as a second language and preparation and testing services for obtaining a high school diploma or a general equivalency diploma.
- (2) "Base level of correctional services" means the minimum level of field services the department of corrections is required by statute to provide for the supervision and monitoring of offenders.
- (3) "Community custody" has the same meaning as that provided in RCW 9.94A.030 and also includes community placement and community supervision as defined in RCW 9.94B.020.
- (4) "Contraband" means any object or communication the secretary determines shall not be allowed to be: (a) Brought into; (b) possessed while on the grounds of; or (c) sent from any institution under the control of the secretary.
 - (5) "County" means a county or combination of counties.
 - (6) "Department" means the department of corrections.
- 21 (7) "Earned early release" means earned release as authorized by 22 RCW 9.94A.728.
 - (8) "Evidence-based" means a program or practice that has had multiple-site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective in reducing recidivism for the population.
 - (9) "Extended family visit" means an authorized visit between an inmate and a member of his or her immediate family that occurs in a private visiting unit located at the correctional facility where the inmate is confined.
- 31 (10) "Good conduct" means compliance with department rules and 32 policies.
- 33 (11) "Good performance" means successful completion of a program 34 required by the department, including an education, work, or other 35 program.
- 36 (12) "Immediate family" means the inmate's children, stepchildren, 37 grandchildren, great grandchildren, parents, stepparents, grandparents, 38 great grandparents, siblings, and a person legally married to <u>or in a</u>

state registered domestic partnership with an inmate. "Immediate family" does not include an inmate adopted by another inmate or the immediate family of the adopted or adopting inmate.

- (13) "Indigent inmate," "indigent," and "indigency" mean an inmate who has less than a ten-dollar balance of disposable income in his or her institutional account on the day a request is made to utilize funds and during the thirty days previous to the request.
- (14) "Individual reentry plan" means the plan to prepare an offender for release into the community. It should be developed collaboratively between the department and the offender and based on an assessment of the offender using a standardized and comprehensive tool to identify the offender's risks and needs. The individual reentry plan describes actions that should occur to prepare individual offenders for release from prison or jail, specifies the supervision and services they will experience in the community, and describes an offender's eventual discharge to aftercare upon successful completion of supervision. An individual reentry plan is updated throughout the period of an offender's incarceration and supervision to be relevant to the offender's current needs and risks.
- (15) "Inmate" means a person committed to the custody of the department, including but not limited to persons residing in a correctional institution or facility and persons released from such facility on furlough, work release, or community custody, and persons received from another state, state agency, county, or federal jurisdiction.
- (16) "Privilege" means any goods or services, education or work programs, or earned early release days, the receipt of which are directly linked to an inmate's (a) good conduct; and (b) good performance. Privileges do not include any goods or services the department is required to provide under the state or federal Constitution or under state or federal law.
- (17) "Promising practice" means a practice that presents, based on preliminary information, potential for becoming a research-based or consensus-based practice.
- (18) "Research-based" means a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

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1 (19) "Secretary" means the secretary of corrections or his or her designee.

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- (20) "Significant expansion" includes any expansion into a new product line or service to the class I business that results from an increase in benefits provided by the department, including a decrease in labor costs, rent, or utility rates (for water, sewer, electricity, and disposal), an increase in work program space, tax advantages, or other overhead costs.
- 9 (21) "Superintendent" means the superintendent of a correctional 10 facility under the jurisdiction of the Washington state department of 11 corrections, or his or her designee.
- (22) "Unfair competition" means any net competitive advantage that a business may acquire as a result of a correctional industries contract, including labor costs, rent, tax advantages, utility rates (water, sewer, electricity, and disposal), and other overhead costs. To determine net competitive advantage, the correctional industries board shall review and quantify any expenses unique to operating a forprofit business inside a prison.
- 19 (23) "Vocational training" or "vocational education" means 20 "vocational education" as defined in RCW 72.62.020.
- 21 (24) "Washington business" means an in-state manufacturer or 22 service provider subject to chapter 82.04 RCW existing on June 10, 23 2004.
- 24 (25) "Work programs" means all classes of correctional industries 25 jobs authorized under RCW 72.09.100.
- 26 **Sec. 161.** RCW 72.09.712 and 2008 c 231 s 27 are each amended to read as follows:
- (1) At the earliest possible date, and in no event later than 28 29 thirty days before release except in the event of escape or emergency furloughs as defined in RCW 72.66.010, the department of corrections 30 31 shall send written notice of parole, release, community custody, work release placement, furlough, or escape about a specific inmate 32 convicted of a violent offense, a sex offense as defined by RCW 33 34 9.94A.030, or a felony harassment offense as defined by RCW 9A.46.060 35 or 9A.46.110, to the following:
- 36 (a) The chief of police of the city, if any, in which the inmate

will reside or in which placement will be made in a work release program; and

(b) The sheriff of the county in which the inmate will reside or in which placement will be made in a work release program.

The sheriff of the county where the offender was convicted shall be notified if the department does not know where the offender will reside. The department shall notify the state patrol of the release of all sex offenders, and that information shall be placed in the Washington crime information center for dissemination to all law enforcement.

- (2) The same notice as required by subsection (1) of this section shall be sent to the following if such notice has been requested in writing about a specific inmate convicted of a violent offense, a sex offense as defined by RCW 9.94A.030, or a felony harassment offense as defined by RCW 9A.46.060 or 9A.46.110:
- (a) The victim of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide;
 - (b) Any witnesses who testified against the inmate in any court proceedings involving the violent offense;
- (c) Any person specified in writing by the prosecuting attorney; and
- (d) Any person who requests such notice about a specific inmate convicted of a sex offense as defined by RCW 9.94A.030 from the department of corrections at least sixty days prior to the expected release date of the offender.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the inmate. Whenever the department of corrections mails notice pursuant to this subsection and the notice is returned as undeliverable, the department shall attempt alternative methods of notification, including a telephone call to the person's last known telephone number.

(3) The existence of the notice requirements contained in subsections (1) and (2) of this section shall not require an extension of the release date in the event that the release plan changes after notification.

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(4) If an inmate convicted of a violent offense, a sex offense as defined by RCW 9.94A.030, or a felony harassment offense as defined by RCW 9A.46.060 or 9A.46.110, escapes from a correctional facility, the department of corrections shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the inmate resided immediately before the inmate's arrest and conviction. If previously requested, the department shall also notify the witnesses and the victim of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide. If the inmate is recaptured, the department shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

- (5) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.
- (6) The department of corrections shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.
- (7) The department of corrections shall keep, for a minimum of two years following the release of an inmate, the following:
- (a) A document signed by an individual as proof that that person is registered in the victim or witness notification program; and
- (b) A receipt showing that an individual registered in the victim or witness notification program was mailed a notice, at the individual's last known address, upon the release or movement of an inmate.
- 29 (8) For purposes of this section the following terms have the 30 following meanings:
 - (a) "Violent offense" means a violent offense under RCW 9.94A.030;
 - (b) "Next of kin" means a person's spouse, state registered domestic partner, parents, siblings and children.
 - (9) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section.

NEW SECTION. Sec. 162. A new section is added to chapter 72.23
RCW to read as follows:

3 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 4 5 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 6 7 as well as to marital relationships and married persons, and references 8 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 9 10 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-11 12 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 13 14 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 163. A new section is added to chapter 72.36 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- 29 **Sec. 164.** RCW 72.36.115 and 2007 c 43 s 2 are each amended to read 30 as follows:
- 31 (1) The department shall establish and maintain in this state an 32 eastern Washington state veterans' cemetery.
- (2) All honorably discharged veterans, as defined by RCW 41.04.007, and their spouses <u>or state registered domestic partners</u> are eligible for interment in the eastern Washington state veterans' cemetery.

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- 1 (3) The department shall collect all federal veterans' burial 2 benefits and other available state or county resources.
- 3 (4) The department shall adopt rules defining the services 4 available, eligibility, fees, and the general operations associated 5 with the eastern Washington state veterans' cemetery.
- 6 <u>NEW SECTION.</u> **Sec. 165.** A new section is added to chapter 72.64 7 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 8 9 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 10 11 partnerships or individuals in state registered domestic partnerships 12 as well as to marital relationships and married persons, and references 13 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 14 15 invalidated, to the extent that such interpretation does not conflict 16 with federal law. Where necessary to implement this act, gender-17 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 18 individuals in state registered domestic partnerships. 19

NEW SECTION. Sec. 166. A new section is added to chapter 73.16 21 RCW to read as follows:

22 For the purposes of this chapter, the terms spouse, marriage, 23 marital, husband, wife, widow, widower, next of kin, and family shall 24 be interpreted as applying equally to state registered domestic 25 partnerships or individuals in state registered domestic partnerships 26 as well as to marital relationships and married persons, and references 27 to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, 28 invalidated, to the extent that such interpretation does not conflict 29 30 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 31 other law shall be construed to be gender neutral, and applicable to 32 33 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 167. A new section is added to chapter 74.04 35 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 168. A new section is added to chapter 74.08A RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 169. A new section is added to chapter 74.09
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict

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- 1 with federal law. Where necessary to implement this act, gender-
- 2 specific terms such as husband and wife used in any statute, rule, or
- 3 other law shall be construed to be gender neutral, and applicable to
- 4 individuals in state registered domestic partnerships.
- 5 <u>NEW SECTION.</u> **Sec. 170.** A new section is added to chapter 74.09A 6 RCW to read as follows:
- 7 For the purposes of this chapter, the terms spouse, marriage,
- 8 marital, husband, wife, widow, widower, next of kin, and family shall
- 9 be interpreted as applying equally to state registered domestic
- 10 partnerships or individuals in state registered domestic partnerships
- 11 as well as to marital relationships and married persons, and references
- 12 to dissolution of marriage shall apply equally to state registered
- 13 domestic partnerships that have been terminated, dissolved, or
- 14 invalidated, to the extent that such interpretation does not conflict
- 15 with federal law. Where necessary to implement this act, gender-
- 16 specific terms such as husband and wife used in any statute, rule, or
- 17 other law shall be construed to be gender neutral, and applicable to
- 18 individuals in state registered domestic partnerships.
- 19 <u>NEW SECTION.</u> **Sec. 171.** A new section is added to chapter 74.13
- 20 RCW to read as follows:
- 21 For the purposes of this chapter, the terms spouse, marriage,
- 22 marital, husband, wife, widow, widower, next of kin, and family shall
- 23 be interpreted as applying equally to state registered domestic
- 24 partnerships or individuals in state registered domestic partnerships
- 25 as well as to marital relationships and married persons, and references
- 26 to dissolution of marriage shall apply equally to state registered
- 27 domestic partnerships that have been terminated, dissolved, or
- 28 invalidated, to the extent that such interpretation does not conflict
- 29 with federal law. Where necessary to implement this act, gender-
- 30 specific terms such as husband and wife used in any statute, rule, or
- 31 other law shall be construed to be gender neutral, and applicable to
- individuals in state registered domestic partnerships.
- 33 <u>NEW SECTION.</u> **Sec. 172.** A new section is added to chapter 74.15
- 34 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage,

marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 173. A new section is added to chapter 74.20 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 174. A new section is added to chapter 74.20A RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

4 <u>NEW SECTION.</u> **Sec. 175.** A new section is added to chapter 74.34 5 RCW to read as follows:

6 For the purposes of this chapter, the terms spouse, marriage, 7 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 8 9 partnerships or individuals in state registered domestic partnerships 10 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 11 12 domestic partnerships that have been terminated, dissolved, or 13 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-14 specific terms such as husband and wife used in any statute, rule, or 15 16 other law shall be construed to be gender neutral, and applicable to 17 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 176. A new section is added to chapter 74.41
RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 177. A new section is added to chapter 77.08
 RCW to read as follows:
- For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

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be interpreted as applying equally to state registered domestic 1 2 partnerships or individuals in state registered domestic partnerships 3 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 4 5 domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict 6 7 with federal law. Where necessary to implement this act, gender-8 specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to 9 10 individuals in state registered domestic partnerships.

11 **Sec. 178.** RCW 77.36.010 and 1996 c 54 s 2 are each amended to read 12 as follows:

Unless otherwise specified, the following definitions apply throughout this chapter:

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- (1) "Crop" means a commercially raised horticultural and/or agricultural product and includes growing or harvested product but does not include livestock. For the purposes of this chapter all parts of horticultural trees shall be considered a crop and shall be eligible for claims.
- 20 (2) "Emergency" means an unforeseen circumstance beyond the control 21 of the landowner or tenant that presents a real and immediate threat to 22 crops, domestic animals, or fowl.
- 23 (3) "Immediate family member" means spouse, <u>state registered</u>
 24 <u>domestic partner</u>, brother, sister, grandparent, parent, child, or
 25 grandchild.
- NEW SECTION. Sec. 179. A new section is added to chapter 79A.05
 RCW to read as follows:

28 For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall 29 30 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 31 32 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 33 34 domestic partnerships that have been terminated, dissolved, or 35 invalidated, to the extent that such interpretation does not conflict 36 with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

4 <u>NEW SECTION.</u> **Sec. 180.** A new section is added to chapter 80.28 5 RCW to read as follows:

6 For the purposes of this chapter, the terms spouse, marriage, 7 marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic 8 9 partnerships or individuals in state registered domestic partnerships 10 as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 13 invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-14 specific terms such as husband and wife used in any statute, rule, or 15 16 other law shall be construed to be gender neutral, and applicable to 17 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 181. A new section is added to chapter 81.28 19 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 182. A new section is added to chapter 81.80 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall

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be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 183. A new section is added to chapter 82.08 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

NEW SECTION. Sec. 184. A new section is added to chapter 83.100 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-

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- 1 specific terms such as husband and wife used in any statute, rule, or
- 2 other law shall be construed to be gender neutral, and applicable to
- 3 individuals in state registered domestic partnerships.

- **Sec. 185.** RCW 83.100.046 and 2005 c 514 s 1201 are each amended to read as follows:
 - (1) For the purposes of determining the Washington taxable estate, a deduction is allowed from the federal taxable estate for:
 - (a) The value of qualified real property reduced by any amounts allowable as a deduction in respect of the qualified real property and tangible personal property under section 2053(a)(4) of the internal revenue code, if the decedent was at the time of his or her death a citizen or resident of the United States.
 - (b) The value of any tangible personal property used by the decedent or a member of the decedent's family for a qualified use on the date of the decedent's death, reduced by any amounts allowable as a deduction in respect of the tangible personal property under section 2053(a)(4) of the internal revenue code, if all of the requirements of subsection (10)(f)(i)(A) of this section are met and the decedent was at the time of his or her death a citizen or resident of the United States.
 - (c) The value of real property that is not deductible under (a) of this subsection solely by reason of subsection (10)(f)(i)(B) of this section, reduced by any amounts allowable as a deduction in respect of the qualified real property and tangible personal property under section 2053(a)(4) of the internal revenue code, if the requirements of subsection (10)(f)(i)(C) of this section are met with respect to the property and the decedent was at the time of his or her death a citizen or resident of the United States.
 - (2) Property shall be considered to have been acquired from or to have passed from the decedent if:
 - (a) The property is so considered under section 1014(b) of the Internal Revenue Code;
 - (b) The property is acquired by any person from the estate; or
 - (c) The property is acquired by any person from a trust, to the extent the property is includible in the gross estate of the decedent.
 - (3) If the decedent and the decedent's surviving spouse at any time held qualified real property as community property, the interest of the

surviving spouse in the property shall be taken into account under this section to the extent necessary to provide a result under this section with respect to the property which is consistent with the result which would have obtained under this section if the property had not been community property.

- (4) In the case of any qualified woodland, the value of trees growing on the woodland may be deducted if otherwise qualified under this section.
- (5) If property is qualified real property with respect to a decedent, hereinafter in this subsection referred to as the "first decedent," and the property was acquired from or passed from the first decedent to the surviving spouse of the first decedent, active management of the farm by the surviving spouse shall be treated as material participation by the surviving spouse in the operation of the farm.
- (6) Property owned indirectly by the decedent may qualify for a deduction under this section if owned through an interest in a corporation, partnership, or trust as the terms corporation, partnership, or trust are used in section 2032A(g) of the Internal Revenue Code. In order to qualify for a deduction under this subsection, the interest, in addition to meeting the other tests for qualification under this section, must qualify under section 6166(b)(1) of the Internal Revenue Code as an interest in a closely held business on the date of the decedent's death and for sufficient other time, combined with periods of direct ownership, to equal at least five years of the eight-year period preceding the death.
- (7)(a) If, on the date of the decedent's death, the requirements of subsection (10)(f)(i)(C)(II) of this section with respect to the decedent for any property are not met, and the decedent (i) was receiving old age benefits under Title II of the social security act for a continuous period ending on such date, or (ii) was disabled for a continuous period ending on this date, then subsection (10)(f)(i)(C)(II) of this section shall be applied with respect to the property by substituting "the date on which the longer of such continuous periods began" for "the date of the decedent's death" in subsection (10)(f)(i)(C) of this section.
 - (b) For the purposes of (a) of this subsection, an individual shall

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be disabled if the individual has a mental or physical impairment which renders that individual unable to materially participate in the operation of the farm.

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- (8) Property may be deducted under this section whether or not special valuation is elected under section 2032A of the Internal Revenue Code on the federal return. For the purposes of determining the deduction under this section, the value of property is its value as used to determine the value of the gross estate.
- (9)(a) In the case of any qualified replacement property, any period during which there was ownership, qualified use, or material participation with respect to the replaced property by the decedent or any member of the decedent's family shall be treated as a period during which there was ownership, use, or material participation, as the case may be, with respect to the qualified replacement property.
- (b) Subsection (9)(a) of this section shall not apply to the extent that the fair market value of the qualified replacement property, as of the date of its acquisition, exceeds the fair market value of the replaced property, as of the date of its disposition.
- (c) For the purposes of this subsection (9), the following
 definitions apply:
 - (i) "Qualified replacement property" means any real property:
- 22 (A) Which is acquired in an exchange which qualifies under section 23 1031 of the Internal Revenue Code; or
- 24 (B) The acquisition of which results in the nonrecognition of gain 25 under section 1033 of the Internal Revenue Code.

The term "qualified replacement property" only includes property which is used for the same qualified use as the replaced property was being used before the exchange.

- (ii) "Replaced property" means the property was:
- 30 (A) Transferred in the exchange which qualifies under section 1031 31 of the Internal Revenue Code; or
- 32 (B) Compulsorily or involuntarily converted within the meaning of 33 section 1033 of the Internal Revenue Code.
- 34 (10) For the purposes of this section, the following definitions 35 apply:
- 36 (a) "Active management" means the making of the management 37 decisions of a farm, other than the daily operating decisions.

- (b) "Farm" includes stock, dairy, poultry, fruit, furbearing animal, and truck farms; plantations; ranches; nurseries; ranges; greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities; and orchards and woodlands.
 - (c) "Farming purposes" means:

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- (i) Cultivating the soil or raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of animals on a farm;
- (ii) Handling, drying, packing, grading, or storing on a farm any agricultural or horticultural commodity in its unmanufactured state, but only if the owner, tenant, or operator of the farm regularly produces more than one-half of the commodity so treated; and
- 14 (iii)(A) The planting, cultivating, caring for, or cutting of trees; or
 - (B) The preparation, other than milling, of trees for market.
- 17 (d) "Member of the family" means, with respect to any individual, 18 only:
- 19 (i) An ancestor of the individual;
- 20 (ii) The spouse <u>or state registered domestic partner</u> of the 21 individual;
- (iii) A lineal descendant of the individual, of the individual's spouse <u>or state registered domestic partner</u>, or of a parent of the individual; or
- 25 (iv) The spouse <u>or state registered domestic partner</u> of any lineal descendant described in (d)(iii) of this subsection.
 - For the purposes of this subsection (10)(d), a legally adopted child of an individual shall be treated as the child of such individual by blood.
- 30 (e) "Qualified heir" means, with respect to any property, a member 31 of the decedent's family who acquired property, or to whom property 32 passed, from the decedent.
- 33 (f)(i) "Qualified real property" means real property which was 34 acquired from or passed from the decedent to a qualified heir of the 35 decedent and which, on the date of the decedent's death, was being used 36 for a qualified use by the decedent or a member of the decedent's 37 family, but only if:

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(A) Fifty percent or more of the adjusted value of the gross estate consists of the adjusted value of real or personal property which:

- (I) On the date of the decedent's death, was being used for a qualified use by the decedent or a member of the decedent's family; and
- (II) Was acquired from or passed from the decedent to a qualified heir of the decedent;
- (B) Twenty-five percent or more of the adjusted value of the gross estate consists of the adjusted value of real property which meets the requirements of (f)(i)(A)(II) and (f)(i)(C) of this subsection; and
- (C) During the eight-year period ending on the date of the decedent's death there have been periods aggregating five years or more during which:
- (I) The real property was owned by the decedent or a member of the decedent's family and used for a qualified use by the decedent or a member of the decedent's family; and
- (II) There was material participation by the decedent or a member of the decedent's family in the operation of the farm. For the purposes of this subsection (f)(i)(C)(II), material participation shall be determined in a manner similar to the manner used for purposes of section 1402(a)(1) of the Internal Revenue Code.
- (ii) For the purposes of this subsection, the term "adjusted value"
 means:
- (A) In the case of the gross estate, the value of the gross estate, determined without regard to any special valuation under section 2032A of the Internal Revenue Code, reduced by any amounts allowable as a deduction under section 2053(a)(4) of the Internal Revenue Code; or
- (B) In the case of any real or personal property, the value of the property for purposes of chapter 11 of the Internal Revenue Code, determined without regard to any special valuation under section 2032A of the Internal Revenue Code, reduced by any amounts allowable as a deduction in respect of such property under section 2053(a)(4) of the Internal Revenue Code.
- (g) "Qualified use" means the property is used as a farm for farming purposes. In the case of real property which meets the requirements of (f)(i)(C) of this subsection, residential buildings and related improvements on the real property occupied on a regular basis by the owner or lessee of the real property or by persons employed by the owner or lessee for the purpose of operating or maintaining the

- real property, and roads, buildings, and other structures and improvements functionally related to the qualified use shall be treated as real property devoted to the qualified use. For tangible personal property eligible for a deduction under subsection (1)(b) of this section, "qualified use" means the property is used primarily for farming purposes on a farm.
 - (h) "Qualified woodland" means any real property which:
 - (i) Is used in timber operations; and
- 9 (ii) Is an identifiable area of land such as an acre or other area 10 for which records are normally maintained in conducting timber 11 operations.
 - (i) "Timber operations" means:

- 13 (i) The planting, cultivating, caring for, or cutting of trees; or
- 14 (ii) The preparation, other than milling, of trees for market.
- **Sec. 186.** RCW 83.100.047 and 2005 c 516 s 13 are each amended to read as follows:
 - (1)(a) If the federal taxable estate on the federal return is determined by making an election under section 2056 or 2056A of the Internal Revenue Code, or if no federal return is required to be filed, the department may provide by rule for a separate election on the Washington return, consistent with section 2056 or 2056A of the Internal Revenue Code and (b) of this subsection, for the purpose of determining the amount of tax due under this chapter. The election shall be binding on the estate and the beneficiaries, consistent with the Internal Revenue Code and (b) of this subsection. All other elections or valuations on the Washington return shall be made in a manner consistent with the federal return, if a federal return is required, and such rules as the department may provide.
 - (b) The department shall provide by rule that a state registered domestic partner is deemed to be a surviving spouse and entitled to a deduction from the Washington taxable estate for any interest passing from the decedent to his or her domestic partner, consistent with section 2056 or 2056A of the Internal Revenue Code but regardless of whether such interest would be deductible from the federal gross estate under section 2056 or 2056A of the Internal Revenue Code.
 - (2) Amounts deducted for federal income tax purposes under section

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- 1 642(g) of the Internal Revenue Code of 1986((-)) shall not be allowed
- 2 as deductions in computing the amount of tax due under this chapter.
- 3 <u>NEW SECTION.</u> **Sec. 187.** A new section is added to chapter 83.110A 4 RCW to read as follows:
- For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 other law shall be construed to be gender neutral, and applicable to 15 16 individuals in state registered domestic partnerships.
- NEW SECTION. Sec. 188. A new section is added to chapter 84.04 RCW to read as follows:
 - For the purposes of this title, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.
- 31 **Sec. 189.** RCW 84.04.050 and 1961 c 15 s 84.04.050 are each amended 32 to read as follows:
- "Householder" shall be taken to mean and include every person, married, in a state registered domestic partnership, or single, who

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- resides within the state of Washington being the owner or holder of an estate or having a house or place of abode, either as owner or lessee.
- 3 <u>NEW SECTION.</u> **Sec. 190.** A new section is added to chapter 85.38 4 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, 5 6 marital, husband, wife, widow, widower, next of kin, and family shall 7 be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships 8 9 as well as to marital relationships and married persons, and references 10 to dissolution of marriage shall apply equally to state registered 11 domestic partnerships that have been terminated, dissolved, or 12 invalidated, to the extent that such interpretation does not conflict 13 with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or 14 other law shall be construed to be gender neutral, and applicable to 15 16 individuals in state registered domestic partnerships.

NEW SECTION. Sec. 191. A new section is added to chapter 91.08 RCW to read as follows:

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For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement this act, genderspecific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

- NEW SECTION. Sec. 192. The following acts or parts of acts are each repealed:
- 33 (1) RCW 26.60.050 (Termination--Records--Fees) and 2008 c 6 s 1002
 34 & 2007 c 156 s 6; and
 - (2) RCW 26.60.055 (Termination) and 2008 c 6 s 1001.

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- 1 <u>NEW SECTION.</u> **Sec. 193.** (1) Sections 3 through 6, 67, 73, 81, 83
- 2 through 99, 103, 167, 169, and 184 through 186 of this act take effect
- 3 January 1, 2012.
- 4 (2) Sections 160 and 161 of this act take effect August 1, 2009.

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