

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 2752

Chapter 229, Laws of 2010

61st Legislature
2010 Regular Session

RUNAWAY YOUTH--PARENTAL NOTIFICATION--SHELTER DUTIES

EFFECTIVE DATE: 06/10/10

Passed by the House March 6, 2010
Yeas 91 Nays 4

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 4, 2010
Yeas 45 Nays 0

BRAD OWEN

President of the Senate

Approved March 26, 2010, 10:58 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2752** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 26, 2010

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2752

AS AMENDED BY THE SENATE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By House Early Learning & Children's Services (originally sponsored by Representatives Dickerson, Orwall, Walsh, Goodman, Kagi, Roberts, Pedersen, Green, Santos, and Nelson)

READ FIRST TIME 02/03/10.

1 AN ACT Relating to the safety of runaway youth; amending RCW
2 13.32A.082 and 43.43.510; adding a new section to chapter 13.32A RCW;
3 creating a new section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that youth services
6 provide safety to youth on the streets and are a critical pathway to
7 ensuring the youth's return home. Runaway youth are without
8 protection, live under the threat of violence, and fall victim to
9 predators who exploit their vulnerability. The policy of this state is
10 to provide assistance to youth in crisis and to protect and preserve
11 families. In order to effectively serve youth on the streets and
12 promote their safe return home, shelters must have the time to
13 establish and maintain an environment that facilitates open
14 communication and trust.

15 The legislature also finds that parents of runaway youth have an
16 interest in knowing their sons and daughters are safe in a shelter,
17 rather than on the streets without protection. The legislature further
18 finds that law enforcement and the department can notify a parent that

1 the youth is safe, without disclosing the youth's location or
2 compromising the ability of youth services providers to effectively
3 assist youth in crisis.

4 **Sec. 2.** RCW 13.32A.082 and 2000 c 123 s 10 are each amended to
5 read as follows:

6 (1)(a) Except as provided in (b) of this subsection, any person,
7 including unlicensed youth shelters or runaway and homeless youth
8 programs, who, without legal authorization, provides shelter to a minor
9 and who knows at the time of providing the shelter that the minor is
10 away from the parent's home without the permission of the parent, or
11 other lawfully prescribed residence, shall promptly report the location
12 of the child to the parent, the law enforcement agency of the
13 jurisdiction in which the person lives, or the department. ((The
14 report))

15 (b)(i) If a licensed overnight youth shelter, or another licensed
16 organization whose stated mission is to provide services to homeless or
17 runaway youth and their families, provides shelter to a minor and knows
18 at the time of providing the shelter that the minor is away from a
19 lawfully prescribed residence or home without parental permission, it
20 shall contact the youth's parent, preferably within twenty-four hours
21 but within no more than seventy-two hours following the time that the
22 youth is admitted to the shelter or other licensed organization's
23 program. The notification must include the whereabouts of the youth,
24 a description of the youth's physical and emotional condition, and the
25 circumstances surrounding the youth's contact with the shelter or
26 organization. If there are compelling reasons not to notify the
27 parent, the shelter or organization shall instead notify the
28 department.

29 (ii) At least once every eight hours after learning that a youth
30 receiving services or shelter under this section is away from home
31 without permission, the shelter or organization staff must consult the
32 information that the Washington state patrol makes publicly available
33 under RCW 43.43.510(2). If the youth is publicly listed as missing,
34 the shelter or organization shall immediately notify the department of
35 its contact with the youth listed as missing. The notification must
36 include a description of the youth's physical and emotional condition

1 and the circumstances surrounding the youth's contact with the shelter
2 or organization.

3 (c) Reports required under this section may be made by telephone or
4 any other reasonable means.

5 (2) Unless the context clearly requires otherwise, the definitions
6 in this subsection apply throughout this section.

7 (a) "Shelter" means the person's home or any structure over which
8 the person has any control.

9 (b) "Promptly report" means to report within eight hours after the
10 person has knowledge that the minor is away from a lawfully prescribed
11 residence or home without parental permission.

12 (c) "Compelling reasons" include, but are not limited to,
13 circumstances that indicate that notifying the parent or legal guardian
14 will subject the child to abuse or neglect as defined in chapter 26.44
15 RCW.

16 (3) When the department receives a report under subsection (1) of
17 this section, it shall make a good faith attempt to notify the parent
18 that a report has been received and offer services designed to resolve
19 the conflict and accomplish a reunification of the family.

20 (4) Nothing in this section prohibits any person from immediately
21 reporting the identity and location of any minor who is away from a
22 lawfully prescribed residence or home without parental permission more
23 promptly than required under this section.

24 (5) This section expires on July 1, 2012.

25 NEW SECTION. Sec. 3. A new section is added to chapter 13.32A RCW
26 to read as follows:

27 A private right of action or claim on the part of a parent is
28 created against an unlicensed youth shelter or unlicensed runaway and
29 homeless youth program who fails to meet the notification requirements
30 in RCW 13.32A.082(1)(a).

31 **Sec. 4.** RCW 43.43.510 and 1998 c 67 s 2 are each amended to read
32 as follows:

33 (1) As soon as is practical and feasible there shall be
34 established, by means of data processing, files listing stolen and
35 wanted vehicles, outstanding warrants, identifying children whose
36 parents, custodians, or legal guardians have reported as having run

1 away from home or the custodial residence, identifiable stolen
2 property, files maintaining the central registry of sex offenders
3 required to register under chapter 9A.44 RCW, and such other files as
4 may be of general assistance to law enforcement agencies.

5 (2)(a) At the request of a parent, legal custodian, or guardian who
6 has reported a child as having run away from home or the custodial
7 residence, the Washington state patrol shall make the information about
8 the runaway child as is filed in subsection (1) of this section
9 publicly available.

10 (b) The information that can be made publicly available under (a)
11 of this subsection is limited to the information that will facilitate
12 the safe return of the child to his or her home or custodial residence
13 and so long as making the information publicly available incurs no
14 additional costs.

Passed by the House March 6, 2010.

Passed by the Senate March 4, 2010.

Approved by the Governor March 26, 2010.

Filed in Office of Secretary of State March 26, 2010.