

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 3124

Chapter 214, Laws of 2010

61st Legislature
2010 Regular Session

LAW ENFORCEMENT--DUTY TO REPORT--DUI--CHILDREN IN VEHICLE

EFFECTIVE DATE: 06/10/10

Passed by the House March 11, 2010
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 9, 2010
Yeas 47 Nays 1

BRAD OWEN

President of the Senate

Approved March 25, 2010, 3:54 p.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 **SUBSTITUTE HOUSE BILL 3124** 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**

SUBSTITUTE HOUSE BILL 3124

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 Roberts, Kagi, Simpson, and Kenney)

READ FIRST TIME 02/03/10.

1 AN ACT Relating to requiring a report to child protective services
2 when a child is present in the vehicle of a person arrested for driving
3 or being in control of a vehicle while under the influence of alcohol
4 or drugs; adding a new section to chapter 46.61 RCW; and adding a new
5 section to chapter 26.44 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
8 to read as follows:

9 A law enforcement officer shall promptly notify child protective
10 services whenever a child is present in a vehicle being driven by his
11 or her parent, guardian, or legal custodian and that person is being
12 arrested for a drug or alcohol-related driving offense. This section
13 does not require law enforcement to take custody of the child unless
14 there is no other responsible person, or an agency having the right to
15 physical custody of the child that can be contacted, or the officer has
16 reasonable grounds to believe the child should be taken into custody
17 pursuant to RCW 13.34.050 or 26.44.050. For purposes of this section,
18 "child" means any person under thirteen years of age.

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

3 A law enforcement officer shall promptly notify child protective
4 services whenever a child is present in a vehicle being driven by his
5 or her parent, guardian, or legal custodian and that person is being
6 arrested for a drug or alcohol-related driving offense. This section
7 does not require law enforcement to take custody of the child unless
8 there is no other responsible person, or an agency having the right to
9 physical custody of the child that can be contacted, or the officer has
10 reasonable grounds to believe the child should be taken into custody
11 pursuant to RCW 13.34.050 or 26.44.050. For purposes of this section,
12 "child" means any person under thirteen years of age.

 Passed by the House March 11, 2010.

 Passed by the Senate March 9, 2010.

 Approved by the Governor March 25, 2010.

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