

2 SHB 2379 - S COMM AMD
3 By Committee on Judiciary

4 ADOPTED 03/05/02

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.42 RCW
8 to read as follows:

9 (1) A person is guilty of the crime of leaving a child in the care
10 of a sex offender if the person is (a) the parent of a child; (b)
11 entrusted with the physical custody of a child; or (c) employed to
12 provide to the child the basic necessities of life, and leaves the
13 child in the care or custody of another person who is not a parent,
14 guardian, or lawful custodian of the child, knowing that the person is
15 registered or required to register as a sex offender under the laws of
16 this state, or a law or ordinance in another jurisdiction with similar
17 requirements, because of a sex offense against a child.

18 (2) It is an affirmative defense to the charge of leaving a child
19 in the care of a sex offender under this section, that the defendant
20 must prove by a preponderance of the evidence, that a court has entered
21 an order allowing the offender to have unsupervised contact with
22 children, or that the offender is allowed to have unsupervised contact
23 with the child in question under a family reunification plan, which has
24 been approved by a court, the department of corrections, or the
25 department of social and health services in accordance with department
26 policies.

27 (3) Leaving a child in the care of a sex offender is a
28 misdemeanor."

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4 On page 1, line 1 of the title, after "offender;" strike the
5 remainder of the title and insert "adding a new section to chapter
6 9A.42 RCW; and prescribing penalties."

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