

**ESHB 2752** - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 03/04/2010

1 Strike everything after the enacting clause and insert the  
2 following:

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

13 The legislature also finds that parents of runaway youth have an  
14 interest in knowing their sons and daughters are safe in a shelter,  
15 rather than on the streets without protection. The legislature further  
16 finds that law enforcement and the department can notify a parent that  
17 the youth is safe, without disclosing the youth's location or  
18 compromising the ability of youth services providers to effectively  
19 assist youth in crisis.

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

22 (1)(a) Except as provided in (b) of this subsection, any person,  
23 including unlicensed youth shelters or runaway and homeless youth  
24 programs, who, without legal authorization, provides shelter to a minor  
25 and who knows at the time of providing the shelter that the minor is  
26 away from the parent's home without the permission of the parent, or  
27 other lawfully prescribed residence, shall promptly report the location  
28 of the child to the parent, the law enforcement agency of the

1 jurisdiction in which the person lives, or the department. ((The  
2 report))

3 (b)(i) If a licensed overnight youth shelter, or another licensed  
4 organization whose stated mission is to provide services to homeless or  
5 runaway youth and their families, provides shelter to a minor and knows  
6 at the time of providing the shelter that the minor is away from a  
7 lawfully prescribed residence or home without parental permission, it  
8 shall contact the youth's parent, preferably within twenty-four hours  
9 but within no more than seventy-two hours following the time that the  
10 youth is admitted to the shelter or other licensed organization's  
11 program. The notification must include the whereabouts of the youth,  
12 a description of the youth's physical and emotional condition, and the  
13 circumstances surrounding the youth's contact with the shelter or  
14 organization. If there are compelling reasons not to notify the  
15 parent, the shelter or organization shall instead notify the  
16 department.

17 (ii) At least once every eight hours after learning that a youth  
18 receiving services or shelter under this section is away from home  
19 without permission, the shelter or organization staff must consult the  
20 information that the Washington state patrol makes publicly available  
21 under RCW 43.43.510(2). If the youth is publicly listed as missing,  
22 the shelter or organization shall immediately notify the department of  
23 its contact with the youth listed as missing. The notification must  
24 include a description of the youth's physical and emotional condition  
25 and the circumstances surrounding the youth's contact with the shelter  
26 or organization.

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

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

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

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

36 (c) "Compelling reasons" include, but are not limited to,  
37 circumstances that indicate that notifying the parent or legal guardian

1 will subject the child to abuse or neglect as defined in chapter 26.44  
2 RCW.

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

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

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

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

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

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

20 (1) As soon as is practical and feasible there shall be  
21 established, by means of data processing, files listing stolen and  
22 wanted vehicles, outstanding warrants, identifying children whose  
23 parents, custodians, or legal guardians have reported as having run  
24 away from home or the custodial residence, identifiable stolen  
25 property, files maintaining the central registry of sex offenders  
26 required to register under chapter 9A.44 RCW, and such other files as  
27 may be of general assistance to law enforcement agencies.

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

33 (b) The information that can be made publicly available under (a)  
34 of this subsection is limited to the information that will facilitate  
35 the safe return of the child to his or her home or custodial residence

1 and so long as making the information publicly available incurs no  
2 additional costs."

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3 On page 1, line 1 of the title, after "youth;" strike the remainder  
4 of the title and insert "amending RCW 13.32A.082 and 43.43.510; adding  
5 a new section to chapter 13.32A RCW; creating a new section; and  
6 providing an expiration date."

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