
SENATE BILL 5865

State of Washington

68th Legislature

2024 Regular Session

By Senator Fortunato

Prefiled 12/18/23.

1 AN ACT Relating to the custody of a child when a parent has a
2 history of domestic violence; and amending RCW 26.16.125.

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

4 **Sec. 1.** RCW 26.16.125 and 2008 c 6 s 640 are each amended to
5 read as follows:

6 (1) Henceforth the rights and responsibilities of the parents in
7 the absence of misconduct (a) shall be equal, and one parent shall be
8 as fully entitled to the custody, control, and earnings of the
9 children as the other parent, and (b) in case of one parent's death,
10 the other parent shall come into full and complete control of the
11 children and their estate.

12 (2) Misconduct includes having a history of domestic violence, as
13 defined in RCW 10.99.020, with the child's deceased parent.

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