
HOUSE BILL 2448

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Chandler, Schoesler, Carlson, Lisk, Padden, Heavey, Long, Brough, Talcott, Van Luven, Sheahan, Tate, Mielke and Roland

Read first time 01/14/94. Referred to Committee on Judiciary.

1 AN ACT Relating to curfews for juveniles; adding a new chapter to
2 Title 13 RCW; creating a new section; prescribing penalties; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature specifically finds that:
6 (1) The related problems of juvenile runaways and juvenile prostitution
7 have reached epidemic levels; (2) parents need support in setting
8 limits on the unsupervised late night activities of their children; and
9 (3) a state-wide curfew would address these areas of concern. The
10 adoption of a curfew is intended to protect our state's children from
11 others and themselves and is not criminal or punitive in nature.

12 NEW SECTION. **Sec. 2.** Unless the context clearly requires
13 otherwise, the definitions in this section apply throughout this
14 chapter.

15 (1) "Direct route" means the shortest path of travel selected to
16 reach the destination within an hour of departure without detours or
17 additional stops at other destinations along the way.

1 (2) "Emergency" means, but is not limited to fire, natural
2 disaster, an automobile accident, or obtaining immediate medical care
3 for the minor or a member of the minor's immediate family.

4 (3) "Legal guardian" means a person to whom legal custody of the
5 minor has been given by court order.

6 (4) "Minor" means a person under the age of sixteen years.

7 (5) "Operator" means, but is not limited to, an agent or employee
8 having control of the premises open for business.

9 (6) "Public place" means a street, alley, highway, park, or plaza,
10 used or open to members of the public or a public building, place of
11 business, amusement, or entertainment facility.

12 NEW SECTION. **Sec. 3.** No minor shall be in, on, or remain in, or
13 remain on a public place open to the public between the hours of 12:00
14 a.m. and 5:00 a.m. unless:

15 (1) The minor is accompanied by a parent, legal guardian, or a
16 person twenty-one years or older who is authorized by the minor's
17 parent or legal guardian to accompany the minor;

18 (2) The minor is traveling by direct route to or from a religious
19 activity, political activity, or an event sponsored by a school;

20 (3) The minor is in a motor vehicle and engaged in interstate
21 travel with consent of the parent or legal guardian through the state;

22 (4) The minor is traveling by direct route to or from his or her
23 place of employment, provided employment shall not mean an activity or
24 business conducted in violation of the laws of the state or its
25 political subdivisions;

26 (5) The minor is on the sidewalk of his or her legal residence or
27 on the sidewalk of either next door neighbor; or

28 (6) The minor is involved in an emergency concerning his or her
29 safety or welfare or that of his or her family.

30 NEW SECTION. **Sec. 4.** (1) To determine if the minor is in
31 violation of section 3 of this act, law enforcement officers may stop
32 and detain a person they reasonably believe to be a minor to obtain his
33 or her name, age, and the address of his or her parent or legal
34 guardian.

35 (2) The law enforcement officer may take a minor in violation of
36 section 3 of this act into protective custody and either deliver or
37 arrange to deliver the minor to the residence of his or her parent or

1 legal guardian, or the officer may place the child in an overnight
2 youth shelter facility approved by the department of social and health
3 services.

4 (3) The minor who is placed in an overnight shelter may be released
5 to his or her parent or legal guardian at any time, or shall be
6 released at 8:00 a.m., unless the staff of the shelter determines that
7 the minor meets the conditions set forth in RCW 13.32A.050 or
8 13.32A.060(1)(b), in which case the minor shall be transported to a
9 designated crisis residential center as provided for in chapter 13.32A
10 RCW. A minor who has had a prior placement in an overnight youth
11 shelter during the previous twelve months shall not be released at 8:00
12 a.m., but shall be released directly to the minor's parent or legal
13 guardian.

14 NEW SECTION. **Sec. 5.** It is unlawful for an owner or operator of
15 a premises open for business to permit a minor on the premises in
16 violation of section 3 of this act.

17 NEW SECTION. **Sec. 6.** Violation of section 5 of this act is a
18 misdemeanor.

19 NEW SECTION. **Sec. 7.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of the
25 state government and its existing public institutions, and shall take
26 effect immediately.

27 NEW SECTION. **Sec. 9.** Sections 2 through 7 of this act shall
28 constitute a new chapter in Title 13 RCW.

--- END ---