

By Representative Grant

1 **SHB 1130 - H COMM AMD 110 WITHDRAWN 3-18-97**

2 By Committee on Law & Justice

3 On page 3, after line 5, insert the following:

4 "NEW SECTION. **Sec. 5.** A personal relationship partnership
5 is a relationship between two persons that meets the requirements
6 of section 6 through 9 of this act.

7 NEW SECTION. **Sec. 6.** Two persons may enter into a personal
8 relationship contract if the two persons:

9 (1) Are not currently in a personal relationship partnership
10 with another party;

11 (2) Are not married to another person under the provisions of
12 chapter 26.04 RCW;

13 (3) Are each at least eighteen years of age;

14 (4) Are not related to each other by blood closer than second
15 cousins; and

16 (5) Are mentally competent to consent to the personal
17 relationship contract.

18 NEW SECTION. **Sec. 7.** (1) Any person wishing to enter into a
19 personal relationship partnership must file an application for a
20 personal relationship partnership license with the county auditor.
21 Application for a personal relationship partnership license must be
22 made under oath and must include each applicant's name, current
23 address, age, birthplace, and whether single, widowed, or divorced.

24 (2) The personal relationship partnership license shall be
25 issued not later than three days following the date of application.
26 A personal relationship partnership license may not be used until
27 three days after the date of application and shall become void if
28 the personal relationship partnership is not filed with the county
29 auditor within sixty days of the issuance of the license.

1 NEW SECTION. **Sec. 8.** (1) A personal relationship partnership
2 may be terminated only upon a court order entered in accordance
3 with this section.

4 (2) Either partner in a personal relationship partnership may
5 petition the court for the dissolution, legal separation, or
6 declaration of invalidity of the partnership if the partner is a
7 resident of this state, a member of the armed forces who is
8 stationed in this state, or has a personal relationship partner who
9 is a resident of this state or a member of the armed forces who is
10 stationed in this state.

11 (3) If the party alleges that the personal relationship
12 partnership is irretrievably broken and when ninety days have
13 elapsed since the petition was filed and from the date when service
14 of summons was made upon the respondent or the first publication of
15 summons was made, the court shall proceed as follows:

16 (a) If the other party joins in the petition or does not deny
17 that the personal relationship partnership is irretrievably broken,
18 the court shall enter a decree of dissolution.

19 (b) If the other party alleges that the petitioner was induced
20 to file the petition by fraud or coercion, the court shall make a
21 finding as to that allegation and, if it so finds shall dismiss the
22 petition.

23 (c) If the other party denies that the personal relationship
24 partnership is irretrievably broken the court shall consider all
25 relevant factors, including the circumstances that gave rise to the
26 filing of the petition and the prospects for reconciliation and
27 shall:

28 (i) Make a finding that the personal relationship partnership
29 is irretrievably broken and enter a decree of dissolution of the
30 partnership; or

31 (ii) At the request of either party or on its own motion,
32 continue the matter for not more than sixty days for hearing. At
33 the adjourned hearing the court shall either find that the parties
34 have agreed to reconciliation and dismiss the petition, or find
35 that the parties have not been reconciled and that either party
36 continues to allege that the personal relationship partnership is
37 irretrievably broken, and enter a decree of dissolution of the
38 personal relationship partnership.

1 (d) If the petitioner requests the court to decree legal
2 separation in lieu of dissolution, the court shall enter the decree
3 in that form unless the other party objects and petitions for a
4 decree of dissolution or declaration of invalidity.

5 NEW SECTION. **Sec. 9.** In entering a decree of dissolution, legal
6 separation, or declaration of invalidity of a personal relationship
7 partnership, the court shall:

8 (1) Consider or approve provision for the maintenance of
9 either partner in accordance with the provisions of chapter 26.09
10 RCW; and

11 (2) Make provision for the disposition of property and
12 liabilities of the partners in accordance with the provisions of
13 chapter 26.09 and chapter 26.16 RCW.

14 NEW SECTION. **Sec. 10.** Sections 5 through 9 of this act shall
15 each be added to chapter 26.04 RCW."

16 Renumber the remaining section and correct the title.

EFFECT: Creates the personal relationship partnership. Two persons may enter into a personal relationship partnership if they are not currently in a personal relationship partnership with another person, are not married under Washington law, are at least eighteen years of age, are not related by blood closer than second cousins, and are mentally competent to consent to the personal relationship partnership. Procedures for the dissolution of a personal relationship partnership, the provision of maintenance for a partner, and the disposition of property and liabilities of the partners are provided.