

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2379

Chapter 170, Laws of 2002

57th Legislature
2002 Regular Session

LEAVING A CHILD IN THE CARE OF A SEX OFFENDER

EFFECTIVE DATE: 6/13/02

Passed by the House March 9, 2002
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 5, 2002
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved March 27, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2379** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 27, 2002 - 8:50 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2379

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Dickerson, O'Brien, Tokuda, Veloria, Darneille, Chase, Kirby and Lovick)

Read first time 02/06/2002. Referred to Committee on .

1 AN ACT Relating to leaving a child with a sex offender; adding a
2 new section to chapter 9A.42 RCW; and prescribing penalties.

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

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

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

15 (2) It is an affirmative defense to the charge of leaving a child
16 in the care of a sex offender under this section, that the defendant
17 must prove by a preponderance of the evidence, that a court has entered
18 an order allowing the offender to have unsupervised contact with
19 children, or that the offender is allowed to have unsupervised contact

1 with the child in question under a family reunification plan, which has
2 been approved by a court, the department of corrections, or the
3 department of social and health services in accordance with department
4 policies.

5 (3) Leaving a child in the care of a sex offender is a misdemeanor.

Passed the House March 9, 2002.

Passed the Senate March 5, 2002.

Approved by the Governor March 27, 2002.

Filed in Office of Secretary of State March 27, 2002.