
SENATE BILL 6742

State of Washington 59th Legislature 2006 Regular Session

By Senators Stevens, Swecker, Benton, Carrell, Zarelli and Delvin

Read first time 01/20/2006. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to determination of parentage; amending RCW
2 26.26.021; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature intends to clarify the
5 process for the determination of parentage in this state in response to
6 *In re the Parentage of L.B.; Sue Ellen ("Mian") Carvin v. Page Britain;*
7 Docket Number 75626-1 (2005). In that case, the court held that
8 Washington's common law recognizes the status of de facto parents and
9 grants them standing to petition for a determination of the rights and
10 responsibilities that accompany legal parentage in Washington state.
11 The legislature intends to preempt the common law and clarify that
12 chapter 26.26 RCW governs every determination of parentage in this
13 state without exception.

14 **Sec. 2.** RCW 26.26.021 and 2002 c 302 s 103 are each amended to
15 read as follows:

16 (1) This chapter governs every determination of parentage in this
17 state and provides the exclusive means for determining parentage in
18 this state.

1 (2) The court shall apply the law of this state to adjudicate the
2 parent-child relationship. The applicable law does not depend on:
3 (a) The place of birth of the child; or
4 (b) The past or present residence of the child.
5 (3) This chapter does not create, enlarge, or diminish parental
6 rights or duties under other law of this state.
7 (4) If a birth results under a surrogate parentage contract that is
8 unenforceable under the law of this state, the parent-child
9 relationship is determined as provided in RCW 26.26.101 through
10 26.26.116.

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