
SENATE BILL 5706

State of Washington

61st Legislature

2009 Regular Session

By Senator Swecker

Read first time 01/29/09. Referred to Committee on Judiciary.

1 AN ACT Relating to actions presumed unreasonable for purposes of
2 correcting or restraining a child; and amending RCW 9A.16.100.

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

4 **Sec. 1.** RCW 9A.16.100 and 1986 c 149 s 1 are each amended to read
5 as follows:

6 It is the policy of this state to protect children from assault and
7 abuse and to encourage parents, teachers, and their authorized agents
8 to use methods of correction and restraint of children that are not
9 dangerous to the children. However, the physical discipline of a child
10 is not unlawful when it is reasonable and moderate and is inflicted by
11 a parent, teacher, or guardian for purposes of restraining or
12 correcting the child. Any use of force on a child by any other person
13 is unlawful unless it is reasonable and moderate and is authorized in
14 advance by the child's parent or guardian for purposes of restraining
15 or correcting the child.

16 The following actions are presumed unreasonable when used to
17 correct or restrain a child: (1) Throwing, kicking, burning, or
18 cutting a child; (2) striking a child with a closed fist; (3) shaking
19 a child under age three; (4) interfering with a child's breathing; (5)

1 threatening a child with a deadly weapon; or (6) doing any other act
2 that is likely to cause and which does cause bodily harm greater than
3 transient pain or minor temporary marks that last longer than twenty-
4 four hours. The age, size, and condition of the child and the location
5 of the injury shall be considered when determining whether the bodily
6 harm is reasonable or moderate. This list is illustrative of
7 unreasonable actions and is not intended to be exclusive.

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