

CERTIFICATION OF ENROLLMENT

SENATE BILL 6423

Chapter 71, Laws of 2020

66th Legislature
2020 Regular Session

CHILD ABUSE AND NEGLECT REPORTS--INVESTIGATION--LIABILITY

EFFECTIVE DATE: June 11, 2020

Passed by the Senate February 19, 2020
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House March 5, 2020
Yeas 97 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Approved March 18, 2020 11:14 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6423** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 18, 2020

**Secretary of State
State of Washington**

SENATE BILL 6423

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Senators Cleveland, Darneille, and Wilson, C.; by request of Department of Children, Youth, and Families

Read first time 01/16/20. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to reports alleging child abuse and neglect; and
2 amending RCW 26.44.050 and 26.44.060.

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

4 **Sec. 1.** RCW 26.44.050 and 2017 3rd sp.s. c 6 s 324 are each
5 amended to read as follows:

6 Except as provided in RCW 26.44.030(11), upon the receipt of a
7 report (~~(concerning the possible occurrence of)~~) alleging that abuse
8 or neglect has occurred, the law enforcement agency or the department
9 must investigate and provide the protective services section with a
10 report in accordance with chapter 74.13 RCW, and where necessary to
11 refer such report to the court.

12 A law enforcement officer may take, or cause to be taken, a child
13 into custody without a court order if there is probable cause to
14 believe that the child is abused or neglected and that the child
15 would be injured or could not be taken into custody if it were
16 necessary to first obtain a court order pursuant to RCW 13.34.050.
17 The law enforcement agency or the department investigating such a
18 report is hereby authorized to photograph such a child for the
19 purpose of providing documentary evidence of the physical condition
20 of the child.

1 **Sec. 2.** RCW 26.44.060 and 2007 c 118 s 1 are each amended to
2 read as follows:

3 (1)(a) Except as provided in (b) of this subsection, any person
4 participating in good faith in the making of a report pursuant to
5 this chapter (~~(e)~~), testifying as to alleged child abuse or neglect
6 in a judicial proceeding, or otherwise providing information or
7 assistance, including medical evaluations or consultations, in
8 connection with a report, investigation, or legal intervention
9 pursuant to a good faith report of child abuse or neglect shall in so
10 doing be immune from any civil or criminal liability arising out of
11 such reporting or testifying under any law of this state or its
12 political subdivisions.

13 (b) A person convicted of a violation of subsection (4) of this
14 section shall not be immune from liability under (a) of this
15 subsection.

16 (2) An administrator of a hospital or similar institution or any
17 physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a
18 child into custody pursuant to RCW 26.44.056 shall not be subject to
19 criminal or civil liability for such taking into custody.

20 (3) Conduct conforming with the reporting requirements of this
21 chapter shall not be deemed a violation of the confidential
22 communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and
23 18.83.110. Nothing in this chapter shall be construed as to supersede
24 or abridge remedies provided in chapter 4.92 RCW.

25 (4) A person who, intentionally and in bad faith, knowingly makes
26 a false report of alleged abuse or neglect shall be guilty of a
27 misdemeanor punishable in accordance with RCW 9A.20.021.

28 (5) A person who, in good faith and without gross negligence,
29 cooperates in an investigation arising as a result of a report made
30 pursuant to this chapter, shall not be subject to civil liability
31 arising out of his or her cooperation. This subsection does not apply
32 to a person who caused or allowed the child abuse or neglect to
33 occur.

Passed by the Senate February 19, 2020.

Passed by the House March 5, 2020.

Approved by the Governor March 18, 2020.

Filed in Office of Secretary of State March 18, 2020.

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