**1042 AMS LAW S1624.1 - NOT FOR FLOOR USE**

**HB 1042** - S COMM AMD

By Committee on Law & Justice

**ADOPTED 03/30/2021**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 26.27.051 and 2001 c 65 s 105 are each amended to read as follows:

(1) A court of this state shall treat a foreign country as if it were a state of the United States for the purpose of applying Articles 1 and 2.

(2) Except as otherwise provided in subsection (3) or (4) of this section, a child custody determination made in a foreign country under factual circumstances in substantial conformity with the jurisdictional standards of this chapter must be recognized and enforced under Article 3.

(3) A court of this state need not apply this chapter if the child custody law of a foreign country violates fundamental principles of human rights.

(4) A court of this state need not apply this chapter if the law of a foreign country holds that apostasy, or a sincerely held religious belief or practice, or homosexuality are punishable by death, and a parent or child may be at demonstrable risk of being subject to such laws. For the purposes of this subsection, "apostasy" means the abandonment or renunciation of a religious or political belief.

NEW SECTION. **Sec.**  This act applies to child custody proceedings or proceedings to enforce a child custody determination pending as of the effective date of this section, or commenced on or after the effective date of this section.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

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On page 1, line 5 of the title, after "orientation;" strike the remainder of the title and insert "amending RCW 26.27.051; creating a new section; and declaring an emergency."

EFFECT: Allows Washington courts to refrain from applying Uniform Child Custody Jurisdiction and Enforcement Act standards in international custody matters if a parent or child is at demonstrable risk of being subject to the laws of a foreign country that carry a death sentence for a sincerely held religious belief or practice in addition to apostasy or homosexuality.