

"I am returning herewith, without my approval as to one section, House Bill No. 853, entitled:

"AN ACT Relating to the issuance of title certificates of ownership and the protection of security interests in vessels and watercraft."

Section 12 of the bill directs that Sections 1, 2, and 5 through 11 must be added to Chapter 82.02 RCW, general provisions relating to excise taxes. This directive is not correct. Those sections should be added to Chapter 88.02 RCW, the chapter relating to watercraft registration.

With the exception of Section 12, House Bill No. 853 is approved."

CHAPTER 259

[Engrossed Substitute House Bill No. 932]
CHILD ABUSE REPORTING

AN ACT Relating to child abuse; amending RCW 26.44.030; adding new sections to chapter 26.44 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The Washington state legislature finds and declares:

The children of the state of Washington are the state's greatest resource and the greatest source of wealth to the state of Washington. Children of all ages must be protected from child abuse. Governmental authorities must give the prevention, treatment, and punishment of child abuse the highest priority, and all instances of child abuse must be reported to the proper authorities who should diligently and expeditiously take appropriate action, and child abusers must be held accountable to the people of the state for their actions.

The legislature recognizes the current heavy caseload of governmental authorities responsible for the prevention, treatment, and punishment of child abuse. The information obtained by child abuse reporting requirements, in addition to its use as a law enforcement tool, will be used to determine the need for additional funding to ensure that resources for appropriate governmental response to child abuse are available.

Sec. 2. Section 3, chapter 13, Laws of 1965 as last amended by section 3, chapter 97, Laws of 1984 and RCW 26.44.030 are each amended to read as follows:

(1) When any practitioner, professional school personnel, registered or licensed nurse, social worker, psychologist, pharmacist, or employee of the department has reasonable cause to believe that a child or adult dependent person has suffered abuse or neglect, he shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. The report shall be made at the first opportunity, but in no case longer than ~~((seven days))~~ forty-eight hours after there is reasonable cause to believe that the child or adult has suffered abuse or neglect.

(2) Any other person who has reasonable cause to believe that a child or adult dependent person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040 (~~as now or hereafter amended~~)).

(3) The department, upon receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent person who has died or has had physical injury or injuries inflicted upon him other than by accidental means or who has been subjected to sexual abuse, shall report such incident in writing to the proper law enforcement agency.

(4) Any law enforcement agency receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent person who has died or has had physical injury or injuries inflicted upon him other than by accidental means, or who has been subjected to sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime (~~has~~) may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them.

(5) Any county prosecutor or city attorney receiving a report under subsection (4) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

NEW SECTION. Sec. 3. A new section is added to chapter 26.44 RCW to read as follows:

If the department or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint, the agency shall notify the other agency of their presence, and the agencies shall coordinate the investigation and keep each other apprised of progress.

The department, each law enforcement agency, each county prosecuting attorney, each city attorney, and each court shall make as soon as practicable a written record and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse.

NEW SECTION. Sec. 4. A new section is added to chapter 26.44 RCW to read as follows:

Commencing in 1986, the prosecuting attorney shall include in the annual report a section stating the number of child abuse reports received by

the office under this chapter and the number of cases where charges were filed.

Passed the House April 22, 1985.

Passed the Senate April 15, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 260

[Substitute House Bill No. 36]

HOSTAGE OR BARRICADE SITUATIONS—TELEPHONE COMMUNICATIONS—RECORDING OR ISOLATING

AN ACT Relating to isolating and recording telephone communications in emergency situations; and amending RCW 70.85.100 and 9.73.030.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 28, Laws of 1979 and RCW 70.85.100 are each amended to read as follows:

(1) The supervising law enforcement official having jurisdiction in a geographical area who reasonably believes that ((one or more hostages are being held)) a person is barricaded, or one or more persons are holding another person or persons hostage within that area ((and who has probable cause to believe that the holder of such hostages is committing a crime)) may order a telephone company employee designated pursuant to RCW 70.85.110 to arrange to cut, reroute, or divert telephone lines for the purpose of preventing telephone communications between the barricaded person or hostage holder and any person other than a peace officer or a person authorized by the peace officer.

(2) As used in this section:

(a) A "hostage holder" is one who commits or attempts to commit any of the offenses described in RCW 9A.40.020, 9A.40.030, or 9A.40.040; and

(b) A "barricaded person" is one who establishes a perimeter around an area from which others are excluded and either:

(i) Is committing or is immediately fleeing from the commission of a violent felony; or

(ii) Is threatening or has immediately prior threatened a violent felony or suicide; or

(iii) Is creating or has created the likelihood of serious harm within the meaning of chapter 71.05 RCW relating to mental illness.

Sec. 2. Section 1, chapter 93, Laws of 1967 ex. sess. as amended by section 1, chapter 363, Laws of 1977 ex. sess. and RCW 9.73.030 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, it shall be unlawful for any individual, partnership, corporation, association, or the state of