
HOUSE BILL 1042

State of Washington

67th Legislature

2021 Regular Session

By Representatives Thai and Walen

Prefiled 12/22/20.

1 AN ACT Relating to revising the international application of the
2 uniform child custody jurisdiction and enforcement act to protect
3 families from facing the death penalty in certain foreign
4 jurisdictions on the basis of religious beliefs, political beliefs,
5 or sexual orientation; amending RCW 26.27.051; creating a new
6 section; and declaring an emergency.

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

8 **Sec. 1.** RCW 26.27.051 and 2001 c 65 s 105 are each amended to
9 read as follows:

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

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

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

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

7 NEW SECTION. **Sec. 2.** This act applies to child custody
8 proceedings or proceedings to enforce a child custody determination
9 pending as of the effective date of this section, or commenced on or
10 after the effective date of this section.

11 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of
13 the state government and its existing public institutions, and takes
14 effect immediately.

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