

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5270**

Chapter 153, Laws of 2001

57th Legislature  
2001 Regular Session

VICTIMS' COMPENSATION--VICTIMS OF SEXUALLY VIOLENT PREDATORS

EFFECTIVE DATE: 7/22/01

Passed by the Senate March 6, 2001  
YEAS 46 NAYS 0

BRAD OWEN  
**President of the Senate**

Passed by the House April 12, 2001  
YEAS 94 NAYS 0

FRANK CHOPP  
**Speaker of the  
House of Representatives**

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Approved May 2, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5270** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

FILED

May 2, 2001 - 10:45 a.m.

**Secretary of State  
State of Washington**

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SENATE BILL 5270

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Passed Legislature - 2001 Regular Session

State of Washington

57th Legislature

2001 Regular Session

By Senators Costa, Long, Gardner, Carlson and Kohl-Welles

Read first time 01/17/2001. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to modifying requirements for certain victims of  
2 sexually violent predators to be eligible for victims' compensation;  
3 and amending RCW 7.68.060.

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

5 **Sec. 1.** RCW 7.68.060 and 1996 c 122 s 4 are each amended to read  
6 as follows:

7 (1) For the purposes of applying for benefits under this chapter,  
8 the rights, privileges, responsibilities, duties, limitations and  
9 procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and  
10 51.28.060 shall apply: PROVIDED, That except for applications received  
11 pursuant to subsection (4) of this section, no compensation of any kind  
12 shall be available under this chapter if:

13 (a) An application for benefits is not received by the department  
14 within two years after the date the criminal act was reported to a  
15 local police department or sheriff's office or the date the rights of  
16 dependents or beneficiaries accrued, unless the director has determined  
17 that "good cause" exists to expand the time permitted to receive the  
18 application. "Good cause" shall be determined by the department on a  
19 case-by-case basis and may extend the period of time in which an

1 application can be received for up to five years after the date the  
2 criminal act was reported to a local police department or sheriff's  
3 office or the date the rights of dependents or beneficiaries accrued;  
4 or

5 (b) The criminal act is not reported by the victim or someone on  
6 his or her behalf to a local police department or sheriff's office  
7 within twelve months of its occurrence or, if it could not reasonably  
8 have been reported within that period, within twelve months of the time  
9 when a report could reasonably have been made. In making  
10 determinations as to reasonable time limits, the department shall give  
11 greatest weight to the needs of the victims.

12 (2) This section shall apply only to criminal acts reported after  
13 December 31, 1985.

14 (3) Because victims of childhood criminal acts may repress  
15 conscious memory of such criminal acts far beyond the age of eighteen,  
16 the rights of adult victims of childhood criminal acts shall accrue at  
17 the time the victim discovers or reasonably should have discovered the  
18 elements of the crime. In making determinations as to reasonable time  
19 limits, the department shall give greatest weight to the needs of the  
20 victim.

21 (4) A right to benefits under this chapter is available to any  
22 victim of a person against whom the state initiates proceedings under  
23 chapter 71.09 RCW. The right created under this subsection shall  
24 accrue when the victim is notified of proceedings under chapter 71.09  
25 RCW or the victim is interviewed, deposed, or testifies as a witness in  
26 connection with the proceedings. An application for benefits under  
27 this subsection must be received by the department within two years  
28 after the date the victim's right accrued unless the director  
29 determines that good cause exists to expand the time to receive the  
30 application. The director shall determine "good cause" on a case-by-  
31 case basis and may extend the period of time in which an application  
32 can be received for up to five years after the date the right of the  
33 victim accrued. Benefits under this subsection shall be limited to  
34 compensation for costs or losses incurred on or after the date the  
35 victim's right accrues for a claim allowed under this subsection.

Passed the Senate March 6, 2001.

Passed the House April 12, 2001.

Approved by the Governor May 2, 2001.

Filed in Office of Secretary of State May 2, 2001.