

FINAL BILL REPORT

SHB 1047

C 231 L 95

Synopsis as Enacted

Brief Description: Clarifying the process for defendants to pay restitution to their victims.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Sherstad, Benton, Dyer, Schoesler, Johnson, Thompson, Beeksma, Radcliff, Crouse, Carrell, Robertson, Blanton, Lambert, Fuhrman, L. Thomas, Huff, Mielke, McMahan and Casada).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: Courts must order convicted felons to pay restitution to their crime victims. Restitution must be set at sentencing or within 60 days of sentencing.

For purposes of paying restitution, the offender remains under the court's jurisdiction up to 10 years following the offender's release from confinement or 10 years after entry of the sentence, whichever period is longer. In contrast, the statute of limitations for enforcement of civil judgments generally is 10 years from entry of judgment. Restitution ordered in a criminal action may be enforced in the same manner as a civil judgment by the party to whom restitution is owed.

Summary: The period of time in which a court must set restitution is extended from 60 to 180 days. The court may continue the hearing for good cause. This provision will apply retroactively in certain limited circumstances.

The court may not reduce the total amount of restitution ordered because the offender might not have the ability to pay the total amount.

The court must identify the victim or victims entitled to restitution. Restitution collected through civil enforcement must be paid through the court registry. If there is more than one victim, each victim will receive a proportionate share of restitution collected.

The statute of limitations concerning enforcement of civil judgments is amended to correspond to the supervision time period for collection of restitution.

Votes on Final Passage:

House	96	0	
Senate	43	0	(Senate amended)
House	91	0	(House concurred)

Effective: July 23, 1995