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HOUSE BILL 1067

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Sterk, Thompson, Costa, Sheahan, Sherstad, Smith, Mielke and O'Brien

Read first time 01/13/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to motor vehicle offenses involving deaths; and  
2 reenacting and amending RCW 9A.04.080.

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

4 **Sec. 1.** RCW 9A.04.080 and 1995 c 287 s 5 and 1995 c 17 s 1 are  
5 each reenacted and amended to read as follows:

6 (1) Prosecutions for criminal offenses shall not be commenced after  
7 the periods prescribed in this section.

8 (a) The following offenses may be prosecuted at any time after  
9 their commission:

10 (i) Murder;

11 (ii) Homicide by abuse;

12 (iii) Arson if a death results;

13 (iv) Vehicular homicide;

14 (v) Vehicular assault if a death results;

15 (vi) Hit-and-run injury-accident if a death results (RCW  
16 46.52.020(4)).

17 (b) The following offenses shall not be prosecuted more than ten  
18 years after their commission:

1 (i) Any felony committed by a public officer if the commission is  
2 in connection with the duties of his or her office or constitutes a  
3 breach of his or her public duty or a violation of the oath of office;

4 (ii) Arson if no death results; or

5 (iii) Violations of RCW 9A.44.040 or 9A.44.050 if the rape is  
6 reported to a law enforcement agency within one year of its commission;  
7 except that if the victim is under fourteen years of age when the rape  
8 is committed and the rape is reported to a law enforcement agency  
9 within one year of its commission, the violation may be prosecuted up  
10 to three years after the victim's eighteenth birthday or up to ten  
11 years after the rape's commission, whichever is later. If a violation  
12 of RCW 9A.44.040 or 9A.44.050 is not reported within one year, the rape  
13 may not be prosecuted: (A) More than three years after its commission  
14 if the violation was committed against a victim fourteen years of age  
15 or older; or (B) more than three years after the victim's eighteenth  
16 birthday or more than seven years after the rape's commission,  
17 whichever is later, if the violation was committed against a victim  
18 under fourteen years of age.

19 (c) Violations of the following statutes shall not be prosecuted  
20 more than three years after the victim's eighteenth birthday or more  
21 than seven years after their commission, whichever is later: RCW  
22 9A.44.073, 9A.44.076, 9A.44.083, 9A.44.086, 9A.44.070, 9A.44.080,  
23 9A.44.100(1)(b), or 9A.64.020.

24 (d) The following offenses shall not be prosecuted more than six  
25 years after their commission: Violations of RCW 9A.82.060 or  
26 9A.82.080.

27 (e) The following offenses shall not be prosecuted more than five  
28 years after their commission: Any class C felony under chapter 74.09,  
29 82.36, or 82.38 RCW.

30 (f) Bigamy shall not be prosecuted more than three years after the  
31 time specified in RCW 9A.64.010.

32 (g) No other felony may be prosecuted more than three years after  
33 its commission.

34 (h) No gross misdemeanor may be prosecuted more than two years  
35 after its commission.

36 (i) No misdemeanor may be prosecuted more than one year after its  
37 commission.

1       (2) The periods of limitation prescribed in subsection (1) of this  
2 section do not run during any time when the person charged is not  
3 usually and publicly resident within this state.

4       (3) If, before the end of a period of limitation prescribed in  
5 subsection (1) of this section, an indictment has been found or a  
6 complaint or an information has been filed, and the indictment,  
7 complaint, or information is set aside, then the period of limitation  
8 is extended by a period equal to the length of time from the finding or  
9 filing to the setting aside.

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