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SENATE BILL 6664

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State of Washington

56th Legislature

2000 Regular Session

By Senators Costa and Kohl-Welles

Read first time 01/21/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to victims' compensation; and amending RCW  
2 7.68.060.

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

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

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

11 (a) An application for benefits is not received by the department  
12 within two years after the date the criminal act was reported to a  
13 (~~local police department or sheriff's office~~) law enforcement agency  
14 or, in cases of abuse or neglect of children or adult dependent  
15 persons, the agency providing child or adult protective services, or  
16 the date the rights of dependents or beneficiaries accrued, unless the  
17 director has determined that "good cause" exists to expand the time  
18 permitted to receive the application. "Good cause" shall be determined  
19 by the department on a case-by-case basis and may extend the period of

1 time in which an application can be received for up to five years after  
2 the date the criminal act was reported (~~(to a local police department~~  
3 ~~or sheriff's office))~~) or the date the rights of dependents or  
4 beneficiaries accrued; 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 law enforcement agency or, in cases of abuse or neglect of children or  
8 adult dependent persons, the agency providing child or adult protective  
9 services, within twelve months of its occurrence or, if it could not  
10 reasonably have been reported within that period, within twelve months  
11 of the time when a report could reasonably have been made. In making  
12 determinations as to reasonable time limits, the department shall give  
13 greatest weight to the needs of the victims.

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

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

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

1 date the victim's right accrues for a claim allowed under this  
2 subsection.

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