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SENATE BILL 5243

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State of Washington

57th Legislature

2001 Regular Session

By Senators Costa, Roach, Constantine, Zarelli, Long, T. Sheldon and Kohl-Welles

Read first time 01/17/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to restitution for the crime of rape of a child;  
2 and amending RCW 6.17.020.

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

4 **Sec. 1.** RCW 6.17.020 and 1997 c 121 s 1 are each amended to read  
5 as follows:

6 (1) Except as provided in subsections (2), (3), and (4) of this  
7 section, the party in whose favor a judgment of a court of record of  
8 this state or a district court of this state has been or may be  
9 rendered, or the assignee, may have an execution issued for the  
10 collection or enforcement of the judgment at any time within ten years  
11 from entry of the judgment.

12 (2) After July 23, 1989, a party who obtains a judgment or order of  
13 a court of record of any state, or an administrative order entered as  
14 defined in RCW 74.20A.020(6) for accrued child support, may have an  
15 execution issued upon that judgment or order at any time within ten  
16 years of the eighteenth birthday of the youngest child named in the  
17 order for whom support is ordered or as provided in subsection (4)(b)  
18 of this section.

1 (3) After June 9, 1994, a party in whose favor a judgment has been  
2 rendered pursuant to subsection (1) or (4) of this section may, within  
3 ninety days before the expiration of the original ten-year period,  
4 apply to the court that rendered the judgment for an order granting an  
5 additional ten years during which an execution may be issued. The  
6 petitioner shall pay to the court a filing fee equal to the filing fee  
7 for filing the first or initial paper in a civil action in the court.  
8 When application is made to the court to grant an additional ten years,  
9 the application shall be accompanied by a current and updated judgment  
10 summary as outlined in RCW 4.64.030. The filing fee required under  
11 this subsection shall be included in the judgment summary and shall be  
12 a recoverable cost.

13 (4)(a) A party who obtains a judgment or order for restitution,  
14 crime victims' assessment, or other court-ordered legal financial  
15 obligations pursuant to a criminal judgment and sentence may execute  
16 the judgment or order any time within ten years subsequent to the entry  
17 of the judgment and sentence or ten years following the offender's  
18 release from total confinement as provided in chapter 9.94A RCW.

19 (b) A party who obtains a judgment or order for restitution for  
20 child support of a child born as the result of a rape of a child in the  
21 first, second, or third degree may execute the judgment or order any  
22 time during the period provided in RCW 4.16.020, 9.94A.140, or  
23 9.94A.142, whichever is longer.

24 (c) The clerk of superior court may seek extension under subsection  
25 (3) of this section for purposes of collection as allowed under RCW  
26 36.18.190.

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