

CERTIFICATION OF ENROLLMENT  
ENGROSSED SECOND SUBSTITUTE SENATE BILL 6504

61st Legislature  
2010 Regular Session

Passed by the Senate March 11, 2010  
YEAS 46 NAYS 0

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**President of the Senate**

Passed by the House March 11, 2010  
YEAS 97 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE SENATE BILL 6504** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SECOND SUBSTITUTE SENATE BILL 6504

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AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington                      61st Legislature                      2010 Regular Session

By Senate Ways & Means (originally sponsored by Senator Hargrove; by request of Department of Labor & Industries)

READ FIRST TIME 02/09/10.

1            AN ACT Relating to the crime victims' compensation program;  
2 amending RCW 7.68.070, 7.68.085, 9A.82.110, 72.09.111, and 72.09.480;  
3 adding new sections to chapter 7.68 RCW; providing an effective date;  
4 providing an expiration date; and declaring an emergency.

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

6            **Sec. 1.** RCW 7.68.070 and 2009 c 38 s 1 are each amended to read as  
7 follows:

8            The right to benefits under this chapter and the amount thereof  
9 will be governed insofar as is applicable by the provisions contained  
10 in chapter 51.32 RCW except as provided in this section, provided that  
11 no more than fifty thousand dollars shall be paid per claim:

12            (1) The provisions contained in RCW 51.32.015, 51.32.030,  
13 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 are not  
14 applicable to this chapter.

15            (2) Each victim injured as a result of a criminal act, including  
16 criminal acts committed between July 1, 1981, and January 1, 1983, or  
17 the victim's family or dependents in case of death of the victim, are  
18 entitled to benefits in accordance with this chapter, subject to the

1 limitations under RCW 7.68.015. The rights, duties, responsibilities,  
2 limitations, and procedures applicable to a worker as contained in RCW  
3 51.32.010 are applicable to this chapter.

4 (3) The limitations contained in RCW 51.32.020 are applicable to  
5 claims under this chapter. In addition thereto, no person or spouse,  
6 child, or dependent of such person is entitled to benefits under this  
7 chapter when the injury for which benefits are sought, was:

8 (a) The result of consent, provocation, or incitement by the  
9 victim, unless an injury resulting from a criminal act caused the death  
10 of the victim;

11 (b) Sustained while the crime victim was engaged in the attempt to  
12 commit, or the commission of, a felony; or

13 (c) Sustained while the victim was confined in any county or city  
14 jail, federal jail or prison or in any other federal institution, or  
15 any state correctional institution maintained and operated by the  
16 department of social and health services or the department of  
17 corrections, prior to release from lawful custody; or confined or  
18 living in any other institution maintained and operated by the  
19 department of social and health services or the department of  
20 corrections.

21 (4) The benefits established upon the death of a worker and  
22 contained in RCW 51.32.050 shall be the benefits obtainable under this  
23 chapter and provisions relating to payment contained in that section  
24 shall equally apply under this chapter(~~(÷PROVIDED)~~), except that:

25 (a) Benefits for burial expenses shall not exceed ((the amount paid  
26 by the department in case of the death of a worker as provided in  
27 chapter 51.32 RCW in any claim: PROVIDED FURTHER, That if the criminal  
28 act results in the death of a victim who was not gainfully employed at  
29 the time of the criminal act, and who was not so employed for at least  
30 three consecutive months of the twelve months immediately preceding the  
31 criminal act;

32 ~~(a) Benefits payable to an eligible surviving spouse, where there~~  
33 ~~are no children of the victim at the time of the criminal act who have~~  
34 ~~survived the victim or where such spouse has legal custody of all of~~  
35 ~~his or her children, shall be limited to burial expenses and a lump sum~~  
36 ~~payment of seven thousand five hundred dollars without reference to~~  
37 ~~number of children, if any;~~

1       ~~(b) Where any such spouse has legal custody of one or more but not~~  
2 ~~all of such children, then such burial expenses shall be paid, and such~~  
3 ~~spouse shall receive a lump sum payment of three thousand seven hundred~~  
4 ~~fifty dollars and any such child or children not in the legal custody~~  
5 ~~of such spouse shall receive a lump sum of three thousand seven hundred~~  
6 ~~fifty dollars to be divided equally among such child or children;~~

7       ~~(c) If any such spouse does not have legal custody of any of the~~  
8 ~~children, the burial expenses shall be paid and the spouse shall~~  
9 ~~receive a lump sum payment of up to three thousand seven hundred fifty~~  
10 ~~dollars and any such child or children not in the legal custody of the~~  
11 ~~spouse shall receive a lump sum payment of up to three thousand seven~~  
12 ~~hundred fifty dollars to be divided equally among the child or~~  
13 ~~children;~~

14       ~~(d) If no such spouse survives, then such burial expenses shall be~~  
15 ~~paid, and each surviving child of the victim at the time of the~~  
16 ~~criminal act shall receive a lump sum payment of three thousand seven~~  
17 ~~hundred fifty dollars up to a total of two such children and where~~  
18 ~~there are more than two such children the sum of seven thousand five~~  
19 ~~hundred dollars shall be divided equally among such children.~~

20       ~~No other benefits may be paid or payable under these~~  
21 ~~circumstances)) five thousand seven hundred fifty dollars per claim;~~  
22 ~~and~~

23       (b) An application for benefits relating to payment for burial  
24 expenses, pursuant to this subsection, must be received within twelve  
25 months of the date upon which the death of the victim is officially  
26 recognized as a homicide. If there is a delay in the recovery of  
27 remains or the release of remains for burial, application for benefits  
28 must be received within twelve months of the date of the release of the  
29 remains for burial.

30       (5) The benefits established in RCW 51.32.060 for permanent total  
31 disability proximately caused by the criminal act shall be the benefits  
32 obtainable under this chapter, and provisions relating to payment  
33 contained in that section apply under this chapter((:—PROVIDED)),  
34 except that if a victim becomes permanently and totally disabled as a  
35 proximate result of the criminal act ((and was not gainfully employed  
36 at the time of the criminal act)), the victim shall receive monthly  
37 during the period of the disability the following percentages, where

1 applicable, of the average monthly wage determined as of the date of  
2 the criminal act pursuant to RCW 51.08.018:

3 (a) If married at the time of the criminal act, twenty-nine percent  
4 of the average monthly wage.

5 (b) If married with one child at the time of the criminal act,  
6 thirty-four percent of the average monthly wage.

7 (c) If married with two children at the time of the criminal act,  
8 thirty-eight percent of the average monthly wage.

9 (d) If married with three children at the time of the criminal act,  
10 forty-one percent of the average monthly wage.

11 (e) If married with four children at the time of the criminal act,  
12 forty-four percent of the average monthly wage.

13 (f) If married with five or more children at the time of the  
14 criminal act, forty-seven percent of the average monthly wage.

15 (g) If unmarried at the time of the criminal act, twenty-five  
16 percent of the average monthly wage.

17 (h) If unmarried with one child at the time of the criminal act,  
18 thirty percent of the average monthly wage.

19 (i) If unmarried with two children at the time of the criminal act,  
20 thirty-four percent of the average monthly wage.

21 (j) If unmarried with three children at the time of the criminal  
22 act, thirty-seven percent of the average monthly wage.

23 (k) If unmarried with four children at the time of the criminal  
24 act, forty percent of the average monthly wage.

25 (l) If unmarried with five or more children at the time of the  
26 criminal act, forty-three percent of the average monthly wage.

27 (6) The benefits established in RCW 51.32.080 for permanent partial  
28 disability shall be the benefits obtainable under this chapter, and  
29 provisions relating to payment contained in that section equally apply  
30 under this chapter, but shall not exceed seven thousand dollars per  
31 claim.

32 (7) The benefits established in RCW 51.32.090 for temporary total  
33 disability shall be the benefits obtainable under this chapter, and  
34 provisions relating to payment contained in that section apply under  
35 this chapter(~~(:—PROVIDED)~~), except that no person is eligible for  
36 temporary total disability benefits under this chapter if such person  
37 was not gainfully employed at the time of the criminal act(~~(,—and was~~

1 ~~not so employed for at least three consecutive months of the twelve~~  
2 ~~months immediately preceding the criminal act)).~~

3 (8) The benefits established in RCW 51.32.095 for continuation of  
4 benefits during vocational rehabilitation shall be benefits obtainable  
5 under this chapter, and provisions relating to payment contained in  
6 that section apply under this chapter(~~(:—PROVIDED)~~), except that  
7 benefits shall not exceed five thousand dollars for any single injury.

8 (9) The provisions for lump sum payment of benefits upon death or  
9 permanent total disability as contained in RCW 51.32.130 apply under  
10 this chapter.

11 (10) The provisions relating to payment of benefits to, for or on  
12 behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100,  
13 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and  
14 51.32.210 are applicable to payment of benefits to, for or on behalf of  
15 victims under this chapter.

16 (11) No person or spouse, child, or dependent of such person is  
17 entitled to benefits under this chapter where the person making a claim  
18 for such benefits has refused to give reasonable cooperation to state  
19 or local law enforcement agencies in their efforts to apprehend and  
20 convict the perpetrator(s) of the criminal act which gave rise to the  
21 claim.

22 (12) In addition to other benefits provided under this chapter,  
23 victims of sexual assault are entitled to receive appropriate  
24 counseling. Fees for such counseling shall be determined by the  
25 department in accordance with RCW 51.04.030, subject to the limitations  
26 of RCW 7.68.080. Counseling services may include, if determined  
27 appropriate by the department, counseling of members of the victim's  
28 immediate family, other than the perpetrator of the assault.

29 (~~(13) (Except for medical benefits authorized under RCW 7.68.080,~~  
30 ~~no more than thirty thousand dollars shall be granted as a result of a~~  
31 ~~single injury or death, except that benefits granted as the result of~~  
32 ~~total permanent disability or death shall not exceed forty thousand~~  
33 ~~dollars.~~

34 (~~14~~)) Notwithstanding other provisions of this chapter and Title  
35 51 RCW, benefits payable for total temporary disability under  
36 subsection (7) of this section, shall be limited to fifteen thousand  
37 dollars.

1       (~~(15)~~) (14) Any person who is responsible for the victim's  
2 injuries, or who would otherwise be unjustly enriched as a result of  
3 the victim's injuries, shall not be a beneficiary under this chapter.

4       (~~(16)~~) (15) Crime victims' compensation is not available to pay  
5 for services covered under chapter 74.09 RCW or Title XIX of the  
6 federal social security act, except to the extent that the costs for  
7 such services exceed service limits established by the department of  
8 social and health services or, during the 1993-95 fiscal biennium, to  
9 the extent necessary to provide matching funds for federal medicaid  
10 reimbursement.

11       (~~(17)~~) (16) In addition to other benefits provided under this  
12 chapter, immediate family members of a homicide victim may receive  
13 appropriate counseling to assist in dealing with the immediate, near-  
14 term consequences of the related effects of the homicide. Fees for  
15 counseling shall be determined by the department in accordance with RCW  
16 51.04.030, subject to the limitations of RCW 7.68.080. Payment of  
17 counseling benefits under this section may not be provided to the  
18 perpetrator of the homicide. The benefits under this subsection may be  
19 provided only with respect to homicides committed on or after July 1,  
20 1992.

21       (~~(18)~~) (17) A dependent mother, father, stepmother, or  
22 stepfather, as defined in RCW 51.08.050, who is a survivor of her or  
23 his child's homicide, who has been requested by a law enforcement  
24 agency or a prosecutor to assist in the judicial proceedings related to  
25 the death of the victim, and who is not domiciled in Washington state  
26 at the time of the request, may receive a lump-sum payment upon arrival  
27 in this state. Total benefits under this subsection may not exceed  
28 seven thousand five hundred dollars. If more than one dependent parent  
29 is eligible for this benefit, the lump-sum payment of seven thousand  
30 five hundred dollars shall be divided equally among the dependent  
31 parents.

32       (~~(19)~~) (18) A victim whose crime occurred in another state who  
33 qualifies for benefits under RCW 7.68.060(4) may receive appropriate  
34 mental health counseling to address distress arising from participation  
35 in the civil commitment proceedings. Fees for counseling shall be  
36 determined by the department in accordance with RCW 51.04.030, subject  
37 to the limitations of RCW 7.68.080.

1       (19) A victim is not eligible for benefits under this act if such  
2 victim:

3       (a) Has been convicted of a felony offense within five years  
4 preceding the criminal act for which they are applying where the felony  
5 offense is a violent offense under RCW 9.94A.030 or a crime against  
6 persons under RCW 9.94A.411, or is convicted of such a felony offense  
7 after applying; and

8       (b) Has not completely satisfied all legal financial obligations  
9 owed prior to applying for benefits.

10       **Sec. 2.** RCW 7.68.085 and 2009 c 479 s 9 are each amended to read  
11 as follows:

12       (1) This section has no force or effect from the effective date of  
13 this section until July 1, 2015.

14       (2) The director of labor and industries shall institute a cap on  
15 medical benefits of one hundred fifty thousand dollars per injury or  
16 death. Payment for medical services in excess of the cap shall be made  
17 available to any innocent victim under the same conditions as other  
18 medical services and if the medical services are:

19       ~~((1))~~ (a) Necessary for a previously accepted condition;

20       ~~((2))~~ (b) Necessary to protect the victim's life or prevent  
21 deterioration of the victim's previously accepted condition; and

22       ~~((3))~~ (c) Not available from an alternative source.

23       For the purposes of this section, an individual will not be  
24 required to use his or her assets other than funds recovered as a  
25 result of a civil action or criminal restitution, for medical expenses  
26 or pain and suffering, in order to qualify for an alternative source of  
27 payment.

28       The director shall, in cooperation with the department of social  
29 and health services, establish by October 1, 1989, a process to aid  
30 crime victims in identifying and applying for appropriate alternative  
31 benefit programs, if any, administered by the department of social and  
32 health services.

33       NEW SECTION. **Sec. 3.** A new section is added to chapter 7.68 RCW  
34 to read as follows:

35       The crime victims' compensation account is created in the custody  
36 of the state treasurer. Expenditures from the account may be used only



1 for the crime victims' compensation program under this chapter. Only  
2 the director of the department or the director's designee may authorize  
3 expenditures from the account. The account is subject to allotment  
4 procedures under chapter 43.88 RCW, but an appropriation is not  
5 required for expenditures.

6 **Sec. 4.** RCW 9A.82.110 and 2009 c 479 s 11 are each amended to read  
7 as follows:

8 (1) In an action brought by the attorney general on behalf of the  
9 state under RCW 9A.82.100(1)(b)(i) in which the state prevails, any  
10 payments ordered in excess of the actual damages sustained shall be  
11 deposited in the ((~~state general fund~~)) crime victims' compensation  
12 account provided in section 3 of this act.

13 (2)(a) The county legislative authority may establish an  
14 antiprofitereering revolving fund to be administered by the county  
15 prosecuting attorney under the conditions and for the purposes provided  
16 by this subsection. Disbursements from the fund shall be on  
17 authorization of the county prosecuting attorney. No appropriation is  
18 required for disbursements.

19 (b) Any prosecution and investigation costs, including attorney's  
20 fees, recovered for the state by the county prosecuting attorney as a  
21 result of enforcement of civil and criminal statutes pertaining to any  
22 offense included in the definition of criminal profiteering, whether by  
23 final judgment, settlement, or otherwise, shall be deposited, as  
24 directed by a court of competent jurisdiction, in the fund established  
25 by this subsection. In an action brought by a prosecuting attorney on  
26 behalf of the county under RCW 9A.82.100(1)(b)(i) in which the county  
27 prevails, any payments ordered in excess of the actual damages  
28 sustained shall be deposited in the ((~~state general fund~~)) crime  
29 victims' compensation account provided in section 3 of this act.

30 (c) The county legislative authority may prescribe a maximum level  
31 of moneys in the antiprofitereering revolving fund. Moneys exceeding the  
32 prescribed maximum shall be transferred to the county current expense  
33 fund.

34 (d) The moneys in the fund shall be used by the county prosecuting  
35 attorney for the investigation and prosecution of any offense, within  
36 the jurisdiction of the county prosecuting attorney, included in the  
37 definition of criminal profiteering, including civil enforcement.

1 (e) If a county has not established an antiprofitereering revolving  
2 fund, any payments or forfeitures ordered to the county under this  
3 chapter shall be deposited to the county current expense fund.

4 **Sec. 5.** RCW 72.09.111 and 2009 c 479 s 60 are each amended to read  
5 as follows:

6 (1) The secretary shall deduct taxes and legal financial  
7 obligations from the gross wages, gratuities, or workers' compensation  
8 benefits payable directly to the inmate under chapter 51.32 RCW, of  
9 each inmate working in correctional industries work programs, or  
10 otherwise receiving such wages, gratuities, or benefits. The secretary  
11 shall also deduct child support payments from the gratuities of each  
12 inmate working in class II through class IV correctional industries  
13 work programs. The secretary shall develop a formula for the  
14 distribution of offender wages, gratuities, and benefits. The formula  
15 shall not reduce the inmate account below the indigency level, as  
16 defined in RCW 72.09.015.

17 (a) The formula shall include the following minimum deductions from  
18 class I gross wages and from all others earning at least minimum wage:

19 (i) Five percent to the (~~state general fund~~) crime victims'  
20 compensation account provided in section 3 of this act;

21 (ii) Ten percent to a department personal inmate savings account;

22 (iii) Twenty percent to the department to contribute to the cost of  
23 incarceration; and

24 (iv) Twenty percent for payment of legal financial obligations for  
25 all inmates who have legal financial obligations owing in any  
26 Washington state superior court.

27 (b) The formula shall include the following minimum deductions from  
28 class II gross gratuities:

29 (i) Five percent to the (~~state general fund~~) crime victims'  
30 compensation account provided in section 3 of this act;

31 (ii) Ten percent to a department personal inmate savings account;

32 (iii) Fifteen percent to the department to contribute to the cost  
33 of incarceration;

34 (iv) Twenty percent for payment of legal financial obligations for  
35 all inmates who have legal financial obligations owing in any  
36 Washington state superior court; and

1 (v) Fifteen percent for any child support owed under a support  
2 order.

3 (c) The formula shall include the following minimum deductions from  
4 any workers' compensation benefits paid pursuant to RCW 51.32.080:

5 (i) Five percent to the (~~state general fund~~) crime victims'  
6 compensation account provided in section 3 of this act;

7 (ii) Ten percent to a department personal inmate savings account;

8 (iii) Twenty percent to the department to contribute to the cost of  
9 incarceration; and

10 (iv) An amount equal to any legal financial obligations owed by the  
11 inmate established by an order of any Washington state superior court  
12 up to the total amount of the award.

13 (d) The formula shall include the following minimum deductions from  
14 class III gratuities:

15 (i) Five percent for the (~~state general fund~~) crime victims'  
16 compensation account provided in section 3 of this act; and

17 (ii) Fifteen percent for any child support owed under a support  
18 order.

19 (e) The formula shall include the following minimum deduction from  
20 class IV gross gratuities:

21 (i) Five percent to the department to contribute to the cost of  
22 incarceration; and

23 (ii) Fifteen percent for any child support owed under a support  
24 order.

25 (2) Any person sentenced to life imprisonment without possibility  
26 of release or parole under chapter 10.95 RCW or sentenced to death  
27 shall be exempt from the requirement under subsection (1)(a)(ii),  
28 (b)(ii), or (c)(ii).

29 (3)(a) The department personal inmate savings account, together  
30 with any accrued interest, shall only be available to an inmate at the  
31 following times:

32 (i) The time of his or her release from confinement;

33 (ii) Prior to his or her release from confinement in order to  
34 secure approved housing; or

35 (iii) When the secretary determines that an emergency exists for  
36 the inmate.

37 (b) If funds are made available pursuant to (a)(ii) or (iii) of

1 this subsection, the funds shall be made available to the inmate in an  
2 amount determined by the secretary.

3 (c) The management of classes I, II, and IV correctional industries  
4 may establish an incentive payment for offender workers based on  
5 productivity criteria. This incentive shall be paid separately from  
6 the hourly wage/gratuity rate and shall not be subject to the specified  
7 deduction for cost of incarceration.

8 (4)(a) Subject to availability of funds for the correctional  
9 industries program, the expansion of inmate employment in class I and  
10 class II correctional industries shall be implemented according to the  
11 following schedule:

12 (i) Not later than June 30, 2005, the secretary shall achieve a net  
13 increase of at least two hundred in the number of inmates employed in  
14 class I or class II correctional industries work programs above the  
15 number so employed on June 30, 2003;

16 (ii) Not later than June 30, 2006, the secretary shall achieve a  
17 net increase of at least four hundred in the number of inmates employed  
18 in class I or class II correctional industries work programs above the  
19 number so employed on June 30, 2003;

20 (iii) Not later than June 30, 2007, the secretary shall achieve a  
21 net increase of at least six hundred in the number of inmates employed  
22 in class I or class II correctional industries work programs above the  
23 number so employed on June 30, 2003;

24 (iv) Not later than June 30, 2008, the secretary shall achieve a  
25 net increase of at least nine hundred in the number of inmates employed  
26 in class I or class II correctional industries work programs above the  
27 number so employed on June 30, 2003;

28 (v) Not later than June 30, 2009, the secretary shall achieve a net  
29 increase of at least one thousand two hundred in the number of inmates  
30 employed in class I or class II correctional industries work programs  
31 above the number so employed on June 30, 2003;

32 (vi) Not later than June 30, 2010, the secretary shall achieve a  
33 net increase of at least one thousand five hundred in the number of  
34 inmates employed in class I or class II correctional industries work  
35 programs above the number so employed on June 30, 2003.

36 (b) Failure to comply with the schedule in this subsection does not  
37 create a private right of action.

1 (5) In the event that the offender worker's wages, gratuity, or  
2 workers' compensation benefit is subject to garnishment for support  
3 enforcement, the ((~~state general fund~~)) crime victims' compensation  
4 account, savings, and cost of incarceration deductions shall be  
5 calculated on the net wages after taxes, legal financial obligations,  
6 and garnishment.

7 (6) The department shall explore other methods of recovering a  
8 portion of the cost of the inmate's incarceration and for encouraging  
9 participation in work programs, including development of incentive  
10 programs that offer inmates benefits and amenities paid for only from  
11 wages earned while working in a correctional industries work program.

12 (7) The department shall develop the necessary administrative  
13 structure to recover inmates' wages and keep records of the amount  
14 inmates pay for the costs of incarceration and amenities. All funds  
15 deducted from inmate wages under subsection (1) of this section for the  
16 purpose of contributions to the cost of incarceration shall be  
17 deposited in a dedicated fund with the department and shall be used  
18 only for the purpose of enhancing and maintaining correctional  
19 industries work programs.

20 (8) It shall be in the discretion of the secretary to apportion the  
21 inmates between class I and class II depending on available contracts  
22 and resources.

23 (9) Nothing in this section shall limit the authority of the  
24 department of social and health services division of child support from  
25 taking collection action against an inmate's moneys, assets, or  
26 property pursuant to chapter 26.23, 74.20, or 74.20A RCW.

27 **Sec. 6.** RCW 72.09.480 and 2009 c 479 s 61 are each amended to read  
28 as follows:

29 (1) Unless the context clearly requires otherwise, the definitions  
30 in this section apply to this section.

31 (a) "Cost of incarceration" means the cost of providing an inmate  
32 with shelter, food, clothing, transportation, supervision, and other  
33 services and supplies as may be necessary for the maintenance and  
34 support of the inmate while in the custody of the department, based on  
35 the average per inmate costs established by the department and the  
36 office of financial management.

1 (b) "Minimum term of confinement" means the minimum amount of time  
2 an inmate will be confined in the custody of the department,  
3 considering the sentence imposed and adjusted for the total potential  
4 earned early release time available to the inmate.

5 (c) "Program" means any series of courses or classes necessary to  
6 achieve a proficiency standard, certificate, or postsecondary degree.

7 (2) When an inmate, except as provided in subsections (4) and (8)  
8 of this section, receives any funds in addition to his or her wages or  
9 gratuities, except settlements or awards resulting from legal action,  
10 the additional funds shall be subject to the following deductions and  
11 the priorities established in chapter 72.11 RCW:

12 (a) Five percent to the (~~state general fund~~) crime victims'  
13 compensation account provided in section 3 of this act;

14 (b) Ten percent to a department personal inmate savings account;

15 (c) Twenty percent for payment of legal financial obligations for  
16 all inmates who have legal financial obligations owing in any  
17 Washington state superior court;

18 (d) Twenty percent for any child support owed under a support  
19 order; and

20 (e) Twenty percent to the department to contribute to the cost of  
21 incarceration.

22 (3) When an inmate, except as provided in subsection (8) of this  
23 section, receives any funds from a settlement or award resulting from  
24 a legal action, the additional funds shall be subject to the deductions  
25 in RCW 72.09.111(1)(a) and the priorities established in chapter 72.11  
26 RCW.

27 (4) When an inmate who is subject to a child support order receives  
28 funds from an inheritance, the deduction required under subsection  
29 (2)(e) of this section shall only apply after the child support  
30 obligation has been paid in full.

31 (5) The amount deducted from an inmate's funds under subsection (2)  
32 of this section shall not exceed the department's total cost of  
33 incarceration for the inmate incurred during the inmate's minimum or  
34 actual term of confinement, whichever is longer.

35 (6)(a) The deductions required under subsection (2) of this section  
36 shall not apply to funds received by the department from an offender or  
37 from a third party on behalf of an offender for payment of education or

1 vocational programs or postsecondary education degree programs as  
2 provided in RCW 72.09.460 and 72.09.465.

3 (b) The deductions required under subsection (2) of this section  
4 shall not apply to funds received by the department from a third party,  
5 including but not limited to a nonprofit entity on behalf of the  
6 department's education, vocation, or postsecondary education degree  
7 programs.

8 (7) The deductions required under subsection (2) of this section  
9 shall not apply to any money received by the department, on behalf of  
10 an inmate, from family or other outside sources for the payment of  
11 postage expenses. Money received under this subsection may only be  
12 used for the payment of postage expenses and may not be transferred to  
13 any other account or purpose. Money that remains unused in the  
14 inmate's postage fund at the time of release shall be subject to the  
15 deductions outlined in subsection (2) of this section.

16 (8) When an inmate sentenced to life imprisonment without  
17 possibility of release or sentenced to death under chapter 10.95 RCW  
18 receives funds, deductions are required under subsection (2) of this  
19 section, with the exception of a personal inmate savings account under  
20 subsection (2)(b) of this section.

21 (9) The secretary of the department of corrections, or his or her  
22 designee, may exempt an inmate from a personal inmate savings account  
23 under subsection (2)(b) of this section if the inmate's earliest  
24 release date is beyond the inmate's life expectancy.

25 (10) The interest earned on an inmate savings account created as a  
26 result of the plan in section 4, chapter 325, Laws of 1999 shall be  
27 exempt from the mandatory deductions under this section and RCW  
28 72.09.111.

29 (11) Nothing in this section shall limit the authority of the  
30 department of social and health services division of child support, the  
31 county clerk, or a restitution recipient from taking collection action  
32 against an inmate's moneys, assets, or property pursuant to chapter  
33 9.94A, 26.23, 74.20, or 74.20A RCW including, but not limited to, the  
34 collection of moneys received by the inmate from settlements or awards  
35 resulting from legal action.

36 NEW SECTION. **Sec. 7.** A new section is added to chapter 7.68 RCW  
37 to read as follows:

1 (1) Within current funding levels, the department's crime victims'  
2 compensation program shall post on its public web site a report that  
3 shows the following items:

4 (a) The total amount of current funding available in the crime  
5 victims' compensation fund;

6 (b) The total amount of funding disbursed to victims in the  
7 previous thirty days; and

8 (c) The total amount paid in overhead and administrative costs in  
9 the previous thirty days.

10 (2) The information listed in subsection (1) of this section must  
11 be posted and maintained on the department's web site by July 1, 2010,  
12 and updated every thirty days thereafter.

13 NEW SECTION. **Sec. 8.** Sections 1 and 2 of this act are necessary  
14 for the immediate preservation of the public peace, health, or safety,  
15 or support of the state government and its existing public  
16 institutions, and take effect April 1, 2010, for all claims of victims  
17 of criminal acts occurring after July 1, 1981.

18 NEW SECTION. **Sec. 9.** Sections 1 and 2 of this act expire July 1,  
19 2015.

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