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SENATE BILL 5488

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Kohl-Welles, Padden, Kline, Darneille, Fraser, Ranker, Keiser, Delvin, Carrell, McAuliffe, Chase, and Conway

Read first time 01/31/13. Referred to Committee on Law & Justice.

1 AN ACT Relating to establishing an enhanced penalty for the use of  
2 an internet advertisement to facilitate the commission of a  
3 sex-trafficking crime; adding a new section to chapter 9.68A RCW;  
4 repealing RCW 9.68A.104; repealing 2012 c 138 s 1 (uncodified); and  
5 repealing 2012 c 138 s 3 (uncodified).

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.68A RCW  
8 to read as follows:

9 (1) In addition to all other penalties under this chapter, a person  
10 convicted of an offense under RCW 9.68A.100, 9.68A.101, or 9.68A.102  
11 shall be assessed an additional fee of five thousand dollars per  
12 offense when the court finds that an internet advertisement in which  
13 the victim of the crime was described or depicted was instrumental in  
14 facilitating the commission of the crime.

15 (2) For purposes of this section, an "internet advertisement" means  
16 a statement in electronic media that would be understood by a  
17 reasonable person to be an implicit or explicit offer for sexual  
18 contact or sexual intercourse, both as defined in chapter 9A.44 RCW, in  
19 exchange for something of value.

1           (3) Amounts collected as penalties under this section shall be  
2 deposited in the account established under RCW 43.63A.740.

3           NEW SECTION. **Sec. 2.** The following acts or parts of acts are each  
4 repealed:

5           (1) RCW 9.68A.104 (Advertising commercial sexual abuse of a minor--  
6 Penalty) and 2012 c 138 s 2;

7           (2) 2012 c 138 s 1 (uncodified); and

8           (3) 2012 c 138 s 3 (uncodified).

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