
SUBSTITUTE HOUSE BILL 2878

State of Washington 64th Legislature 2016 Regular Session

By House Public Safety (originally sponsored by Representatives Kilduff, Robinson, Muri, and Ormsby)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to creating a penalty assessment for crimes
2 involving the abuse of children used to support child advocacy
3 centers; adding a new section to chapter 9A.44 RCW; and prescribing
4 penalties.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.44
7 RCW to read as follows:

8 (1) All superior courts, and courts organized under Title 3 or 35
9 RCW, may impose a penalty assessment not to exceed one thousand
10 dollars on any adult offender convicted of a crime involving the
11 physical abuse or sexual abuse of children. The assessment shall be
12 in addition to, and shall not supersede, any other penalty,
13 restitution, fines, or costs provided by law.

14 (2) Revenue from the assessment must be used solely for the
15 purposes of establishing and funding children's advocacy centers. If
16 the city or county does not have a children's advocacy center, cities
17 and counties may use the revenue collected from the assessment to
18 contract with recognized community-based children's advocacy program
19 providers.

1 (3) The assessment imposed under this section is not subject to
2 any state or local remittance requirements under chapter 3.46, 3.50,
3 3.62, 7.68, 10.82, or 35.20 RCW.

4 (4) For the purposes of this section:

5 (a) "Convicted" includes a plea of guilty, a finding of guilt
6 regardless of whether the imposition of the sentence is deferred or
7 any part of the penalty is suspended, or the levying of a fine.

8 (b) "Children's advocacy center" has the same meaning as that
9 term is defined under RCW 26.44.020.

10 (5) The court may not order a defendant to pay the penalty
11 assessment unless the defendant is or will be able to pay the penalty
12 assessment. In determining whether to impose a penalty assessment,
13 the court shall take account of the financial resources of the
14 defendant and the nature of the burden that payment of the penalty
15 assessment will impose. The court is encouraged to solicit input from
16 the victim or his or her representatives in assessing the defendant's
17 ability to pay the penalty assessment, including information
18 regarding current financial obligations, family circumstances, and
19 ongoing restitution.

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