

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1281

64th Legislature
2015 Regular Session

Passed by the House April 20, 2015
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 13, 2015
Yeas 44 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1281** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1281

AS AMENDED BY THE SENATE

Passed Legislature - 2015 Regular Session

State of Washington **64th Legislature** **2015 Regular Session**

By House Appropriations (originally sponsored by Representatives Sawyer, Orwall, Hurst, Blake, Stokesbary, Tarleton, Walsh, Kirby, Appleton, G. Hunt, Pettigrew, Jinkins, Carlyle, Fey, Ortiz-Self, Senn, Walkinshaw, Moeller, Kilduff, Robinson, Van De Wege, Stanford, Ryu, Lytton, Sells, Riccelli, Kagi, Bergquist, Clibborn, Santos, Buys, and Gregerson)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to sexual exploitation of minors; adding new
2 sections to chapter 9.68A RCW; creating a new section; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that sexual abuse
6 and exploitation of children robs victims of their childhood and
7 irrevocably interferes with their emotional and psychological
8 development. Victims of child pornography often experience severe and
9 lasting harm from the permanent memorialization of the crimes
10 committed against them. Child victims endure depression, withdrawal,
11 anger, and other psychological disorders. Victims also experience
12 feelings of guilt and responsibility for the sexual abuse as well as
13 feelings of betrayal, powerlessness, worthlessness, and low self-
14 esteem. Each and every time such an image is viewed, traded, printed,
15 or downloaded, the child in that image is victimized again.

16 The legislature finds that the expansion of the internet and
17 computer-related technologies have led to a dramatic increase in the
18 availability of child pornography by simplifying how it can be
19 created, distributed, and collected. Investigators and prosecutors
20 report dramatic increases in the number and violent character of the
21 sexually abusive images of children being trafficked through the

1 internet. Between 2005 and 2009, the national center for missing and
2 exploited children's child victim identification program has seen a
3 four hundred thirty-two percent increase in child pornography films
4 and files submitted for identification of the children depicted. The
5 United States department of justice estimates that pornographers have
6 recorded the abuse of more than one million children in the United
7 States alone. Furthermore, a well-known study conducted by crimes
8 against children research center for the national center for missing
9 and exploited children concluded that an estimated forty percent of
10 those who possess child pornography have also directly victimized a
11 child and fifteen percent have attempted to entice a child over the
12 internet.

13 The legislature finds that due to a lack of dedicated resources,
14 only two percent of known child exploitation offenders are being
15 investigated. The legislature finds that additional funding sources
16 are needed to ensure that law enforcement agencies can adequately
17 investigate and prosecute offenders and victims can receive necessary
18 services, including mental health treatment. Finally, the legislature
19 finds that offenders convicted of crimes relating to child
20 pornography should bear the high cost of investigations and
21 prosecutions of these crimes and also the cost of providing services
22 to victims.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.68A
24 RCW to read as follows:

25 (1) In addition to penalties set forth in RCW 9.68A.070, a person
26 who is convicted of violating RCW 9.68A.070 shall be assessed a fee
27 of one thousand dollars for each depiction or image of visual or
28 printed matter that constitutes a separate conviction.

29 (2) Fees assessed under this section shall be collected by the
30 clerk of the court and remitted to the state treasurer for deposit
31 into the child rescue fund created in section 3 of this act.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.68A
33 RCW to read as follows:

34 (1) The child rescue fund is created in the custody of the state
35 treasurer. All receipts from fees collected under section 2 of this
36 act must be deposited into the fund.

37 (2) Only the attorney general for the state of Washington or the
38 attorney general's designee may authorize expenditures from the fund.

1 (3) The attorney general or his or her designee must make any
2 expenditures from the fund according to the following schedule:

3 (a) Twenty-five percent of receipts for grants to child advocacy
4 centers, as defined in RCW 26.44.020; and

5 (b) Seventy-five percent of receipts for grants to the Washington
6 internet crimes against children task force for use in investigations
7 and prosecutions of crimes against children.

8 (4) The fund is subject to the allotment procedures under chapter
9 43.88 RCW, but an appropriation is not required for expenditures.

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