
HOUSE BILL 2562

State of Washington

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By Representatives Fraser, Miller, Belcher, Paris, Pruitt, Mitchell, Heavey, Brough, Rasmussen, J. Kohl, Winsley and Brekke

Read first time 01/22/92. Referred to Committee on Judiciary.

1 AN ACT Relating to crime victims' compensation for victims of
2 childhood crimes; amending RCW 7.68.060; and creating a new section.

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

4 **Sec. 1.** RCW 7.68.060 and 1990 c 3 s 501 are each amended to read
5 as follows:

6 (1) For the purposes of applying for benefits under this chapter,
7 the rights, privileges, responsibilities, duties, limitations and
8 procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and
9 51.28.060 as now or hereafter amended shall apply: PROVIDED, That,
10 except as otherwise provided in subsection (3) of this section, no
11 compensation of any kind shall be available under this chapter if:

12 (a) An application for benefits is not received by the department
13 within one year after the date the criminal act was reported to a local

1 police department or sheriff's office or the date the rights of
2 dependents or beneficiaries accrued; or

3 (b) The criminal act is not reported by the victim or someone on
4 his or her behalf to a local police department or sheriff's office
5 within twelve months of its occurrence or, if it could not reasonably
6 have been reported within that period, within twelve months of the time
7 when a report could reasonably have been made. In making
8 determinations as to reasonable time limits, the department shall give
9 greatest weight to the needs of the victims.

10 (2) This section shall apply only to criminal acts reported after
11 December 31, 1985.

12 (3) ~~((Because))~~ With respect to victims of childhood criminal acts
13 ~~((may repress conscious memory of such criminal acts far beyond the age
14 of eighteen, the rights of adult victims of childhood criminal acts
15 shall accrue at the time the victim discovers or reasonably should have
16 discovered the elements of the crime))~~, the time limitations on
17 applying for benefits and reporting of criminal acts contained in
18 subsection (1) of this section begin to run as of the later of the
19 following:

20 (a) If the injury for which benefits are sought occurred when the
21 victim was a minor and was the result of an act committed by a person
22 living in the same household as the victim or was the result of an act
23 committed by the victim's parent, stepparent, or grandparent, then the
24 time begins to run as of the victim's eighteenth birthday;

25 (b) If the injury for which benefits are sought occurred when the
26 victim was a minor and was the result of an act committed by anyone
27 identified in (a) of this subsection or by anyone else, and the victim
28 has repressed the conscious memory of the act beyond the victim's
29 eighteenth birthday, then the time begins to run when the victim
30 discovers or reasonably should have discovered the elements of the

1 crime. In making determinations as to reasonable time limits, the
2 department shall give greatest weight to the needs of the victim.

3 NEW SECTION. **Sec. 2.** This act applies retroactively to any
4 injury suffered before the effective date of this act, as well as
5 prospectively.