
SENATE BILL 5541

State of Washington 53rd Legislature 1993 Regular Session

By Senators Fraser, A. Smith, Sellar, McAuliffe, Quigley and Winsley

Read first time 02/02/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to statute of limitations for sexual offenses;
2 amending RCW 9A.04.080; and prescribing penalties.

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

4 **Sec. 1.** RCW 9A.04.080 and 1989 c 317 s 3 are each amended to read
5 as follows:

6 (1) Prosecutions for criminal offenses shall not be commenced after
7 the periods prescribed in this section.

8 (a) The following offenses may be prosecuted at any time after
9 their commission:

10 (i) Murder;

11 (ii) Arson if a death results.

12 (b) The following offenses shall not be prosecuted more than ten
13 years after their commission:

14 (i) Any felony committed by a public officer if the commission is
15 in connection with the duties of his or her office or constitutes a
16 breach of his or her public duty or a violation of the oath of office;

17 (ii) Arson if no death results; or

18 (iii) Violations of RCW 9A.44.040 or 9A.44.050 if the rape is
19 reported to a law enforcement agency within one year of its commission;

1 except that if the victim is under fourteen years of age when the rape
2 is committed and the rape is reported to a law enforcement agency
3 within one year of its commission, the violation may be prosecuted up
4 to three years after the victim's eighteenth birthday or up to ten
5 years after the rape's commission, whichever is later. If a violation
6 of RCW 9A.44.040 or 9A.44.050 is not reported within one year, the rape
7 may not be prosecuted: (A) More than three years after its commission
8 if the violation was committed against a victim fourteen years of age
9 or older; or (B) more than three years after the victim's eighteenth
10 birthday or more than seven years after the rape's commission,
11 whichever is later, if the violation was committed against a victim
12 under fourteen years of age.

13 (c) Violations of the following statutes shall not be prosecuted
14 more than three years after the victim's eighteenth birthday or more
15 than seven years after their commission, whichever is later:

16 ~~((i))~~ RCW 9A.44.073, 9A.44.076, 9A.44.083, 9A.44.086, 9A.44.070,
17 9A.44.080, ~~((or))~~ 9A.44.100(1)(b)~~((i or~~

18 ~~(ii) If the victim was under the age of fourteen years of age at~~
19 ~~the time of the commission of the offense, RCW 9A.44.040, 9A.44.050)),~~
20 or 9A.64.020.

21 (d) The following offenses shall not be prosecuted more than six
22 years after their commission: Violations of RCW 9A.82.060 or
23 9A.82.080.

24 (e) The following offenses shall not be prosecuted more than five
25 years after their commission: Any class C felony under chapter 74.09
26 RCW.

27 (f) Bigamy shall not be prosecuted more than three years after the
28 time specified in RCW 9A.64.010.

29 (g) No other felony may be prosecuted more than three years after
30 its commission.

31 (h) No gross misdemeanor may be prosecuted more than two years
32 after its commission.

33 (i) No misdemeanor may be prosecuted more than one year after its
34 commission.

35 (2) The periods of limitation prescribed in subsection (1) of this
36 section do not run during any time when the person charged is not
37 usually and publicly resident within this state.

38 (3) If, before the end of a period of limitation prescribed in
39 subsection (1) of this section, an indictment has been found or a

1 complaint or an information has been filed, and the indictment,
2 complaint, or information is set aside, then the period of limitation
3 is extended by a period equal to the length of time from the finding or
4 filing to the setting aside.

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