

CERTIFICATION OF ENROLLMENT

SENATE BILL 5027

Chapter 17, Laws of 1995

54th Legislature
1995 Regular Session

Homicide by abuse--Statute of limitations

EFFECTIVE DATE: 7/23/95

Passed by the Senate March 1, 1995
YEAS 47 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 4, 1995
YEAS 94 NAYS 2

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 12, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5027** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

April 12, 1995 - 11:18 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5027

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Smith, McCaslin, Rasmussen, Prentice, Kohl and Schow

Read first time 01/09/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to the statute of limitations for homicide by
2 abuse; and amending RCW 9A.04.080.

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

4 **Sec. 1.** RCW 9A.04.080 and 1993 c 214 s 1 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) Homicide by abuse;

12 (iii) Arson if a death results.

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

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

18 (ii) Arson if no death results; or

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

15 (c) Violations of the following statutes shall not be prosecuted
16 more than three years after the victim's eighteenth birthday or more
17 than seven years after their commission, whichever is later: RCW
18 9A.44.073, 9A.44.076, 9A.44.083, 9A.44.086, 9A.44.070, 9A.44.080,
19 9A.44.100(1)(b), or 9A.64.020.

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

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

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

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

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

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

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

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

1 complaint, or information is set aside, then the period of limitation
2 is extended by a period equal to the length of time from the finding or
3 filing to the setting aside.

Passed the Senate March 1, 1995.

Passed the House April 4, 1995.

Approved by the Governor April 12, 1995.

Filed in Office of Secretary of State April 12, 1995.

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