

SENATE BILL REPORT

SB 5526

As Passed Senate, March 13, 2007

Title: An act relating to modifying the definition of criminal act.

Brief Description: Modifying the definition of criminal act.

Sponsors: Senators Hargrove, Regala, Prentice and Shin; by request of Department of Labor & Industries.

Brief History:

Committee Activity: Human Services & Corrections: 2/01/07, 2/9/07 [DP].

Passed Senate: 3/13/07, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: The Crime Victims Act of 1973 established Washington's Crime Victims' Compensation Program (CVCP) to provide benefits to innocent victims of criminal acts. Benefits under the CVCP include medical and mental health costs, disability payments, and benefits for survivors of deceased victims. The Department of Labor & Industries administers the program, and the benefits available to crime victims are based generally on benefits paid to injured workers under the Industrial Insurance Act.

With certain stated exceptions, a "criminal act" for purposes of the CVCP, is defined as:

- 1) an act committed or attempted in this state which is punishable as a felony or gross misdemeanor in this state or punishable as a federal offense comparable to a felony or gross misdemeanor in this state; or
- 2) an act committed outside the state against a resident of Washington, which would be compensable had it occurred inside the state and the state where the crime occurred does not have a crime victims compensation program for which the victim is eligible as set forth in Washington compensation law; or
- 3) an act of terrorism as defined in 18 U.S.C. Sec. 2331, as it exists on May 2, 1997, committed outside of the United States against a resident of the state of Washington.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In the Fall of 2000, Congress passed the U.S. Patriot Act. The Act eliminated the requirement for states to compensate victims of terrorism and instead expanded the federal Office of Victims Compensation to provide those benefits.

Summary of Bill: An act of terrorism committed outside of the United States against a resident of the state of Washington is removed from the definition of a criminal act for purposes of the CVCP.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The U.S. Patriot Act of 2000 provided funding for victims of terrorism outside of the United States. As funds for this program are limited and funding is now provided elsewhere, it is appropriate to remove victims of international terrorism from the Washington CVCP. This is also consistent with actions taken by other states.

Persons Testifying: PRO: Mike Ratko, Cletus Nnanabu, Department of Labor and Industries.