

E2SSB 6504 - H AMD 1651

By Representative Pearson

OUT OF ORDER 3/11/2010

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "Sec. 1. RCW 7.68.070 and 2009 c 38 s 1 are each amended to read
5 as follows:

6 The right to benefits under this chapter and the amount thereof
7 will be governed insofar as is applicable by the provisions contained
8 in chapter 51.32 RCW except as provided in this section, provided that
9 no more than fifty thousand dollars shall be paid per claim:

10 (1) The provisions contained in RCW 51.32.015, 51.32.030,
11 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 are not
12 applicable to this chapter.

13 (2) Each victim injured as a result of a criminal act, including
14 criminal acts committed between July 1, 1981, and January 1, 1983, or
15 the victim's family or dependents in case of death of the victim, are
16 entitled to benefits in accordance with this chapter, subject to the
17 limitations under RCW 7.68.015. The rights, duties, responsibilities,
18 limitations, and procedures applicable to a worker as contained in RCW
19 51.32.010 are applicable to this chapter.

20 (3) The limitations contained in RCW 51.32.020 are applicable to
21 claims under this chapter. In addition thereto, no person or spouse,
22 child, or dependent of such person is entitled to benefits under this
23 chapter when the injury for which benefits are sought, was:

24 (a) The result of consent, provocation, or incitement by the
25 victim, unless an injury resulting from a criminal act caused the
26 death of the victim;

27

1 (b) Sustained while the crime victim was engaged in the attempt to
2 commit, or the commission of, a felony; or

3 (c) Sustained while the victim was confined in any county or city
4 jail, federal jail or prison or in any other federal institution, or
5 any state correctional institution maintained and operated by the
6 department of social and health services or the department of
7 corrections, prior to release from lawful custody; or confined or
8 living in any other institution maintained and operated by the
9 department of social and health services or the department of
10 corrections.

11 (4) The benefits established upon the death of a worker and
12 contained in RCW 51.32.050 shall be the benefits obtainable under this
13 chapter and provisions relating to payment contained in that section
14 shall equally apply under this chapter(~~(+ PROVIDED)~~), except that:

15 (a) Benefits for burial expenses shall not exceed (~~the amount~~
16 ~~paid by the department in case of the death of a worker as provided in~~
17 ~~chapter 51.32 RCW in any claim: PROVIDED FURTHER, That if the~~
18 ~~criminal act results in the death of a victim who was not gainfully~~
19 ~~employed at the time of the criminal act, and who was not so employed~~
20 ~~for at least three consecutive months of the twelve months immediately~~
21 ~~preceding the criminal act;~~

22 ~~— (a) Benefits payable to an eligible surviving spouse, where there~~
23 ~~are no children of the victim at the time of the criminal act who have~~
24 ~~survived the victim or where such spouse has legal custody of all of~~
25 ~~his or her children, shall be limited to burial expenses and a lump~~
26 ~~sum payment of seven thousand five hundred dollars without reference~~
27 ~~to number of children, if any;~~

28 ~~— (b) Where any such spouse has legal custody of one or more but not~~
29 ~~all of such children, then such burial expenses shall be paid, and~~
30 ~~such spouse shall receive a lump sum payment of three thousand seven~~
31 ~~hundred fifty dollars and any such child or children not in the legal~~
32 ~~custody of such spouse shall receive a lump sum of three thousand~~
33 ~~seven hundred fifty dollars to be divided equally among such child or~~
34 ~~children;~~

1 ~~(c) If any such spouse does not have legal custody of any of the~~
2 ~~children, the burial expenses shall be paid and the spouse shall~~
3 ~~receive a lump sum payment of up to three thousand seven hundred fifty~~
4 ~~dollars and any such child or children not in the legal custody of the~~
5 ~~spouse shall receive a lump sum payment of up to three thousand seven~~
6 ~~hundred fifty dollars to be divided equally among the child or~~
7 ~~children;~~

8 ~~(d) If no such spouse survives, then such burial expenses shall be~~
9 ~~paid, and each surviving child of the victim at the time of the~~
10 ~~criminal act shall receive a lump sum payment of three thousand seven~~
11 ~~hundred fifty dollars up to a total of two such children and where~~
12 ~~there are more than two such children the sum of seven thousand five~~
13 ~~hundred dollars shall be divided equally among such children.~~

14 ~~No other benefits may be paid or payable under these~~
15 ~~circumstances)) six thousand eight hundred dollars per claim; and~~

16 (b) An application for benefits relating to payment for burial
17 expenses, pursuant to this subsection, must be received within twelve
18 months of the date upon which the death of the victim is officially
19 recognized as a homicide. If there is a delay in the recovery of
20 remains or the release of remains for burial, application for benefits
21 must be received within twelve months of the date of the release of
22 the remains for burial.

23 (5) The benefits established in RCW 51.32.060 for permanent total
24 disability proximately caused by the criminal act shall be the
25 benefits obtainable under this chapter, and provisions relating to
26 payment contained in that section apply under this chapter(~~(+~~
27 ~~PROVIDED))~~, except that if a victim becomes permanently and totally
28 disabled as a proximate result of the criminal act (~~(and was not~~
29 ~~gainfully employed at the time of the criminal act))~~), the victim shall
30 receive monthly during the period of the disability the following
31 percentages, where applicable, of the average monthly wage determined
32 as of the date of the criminal act pursuant to RCW 51.08.018:

33 (a) If married at the time of the criminal act, twenty-nine
34 percent of the average monthly wage.

1 (b) If married with one child at the time of the criminal act,
2 thirty-four percent of the average monthly wage.

3 (c) If married with two children at the time of the criminal act,
4 thirty-eight percent of the average monthly wage.

5 (d) If married with three children at the time of the criminal
6 act, forty-one percent of the average monthly wage.

7 (e) If married with four children at the time of the criminal act,
8 forty-four percent of the average monthly wage.

9 (f) If married with five or more children at the time of the
10 criminal act, forty-seven percent of the average monthly wage.

11 (g) If unmarried at the time of the criminal act, twenty-five
12 percent of the average monthly wage.

13 (h) If unmarried with one child at the time of the criminal act,
14 thirty percent of the average monthly wage.

15 (i) If unmarried with two children at the time of the criminal
16 act, thirty-four percent of the average monthly wage.

17 (j) If unmarried with three children at the time of the criminal
18 act, thirty-seven percent of the average monthly wage.

19 (k) If unmarried with four children at the time of the criminal
20 act, forty percent of the average monthly wage.

21 (l) If unmarried with five or more children at the time of the
22 criminal act, forty-three percent of the average monthly wage.

23 (6) The benefits established in RCW 51.32.080 for permanent
24 partial disability shall be the benefits obtainable under this
25 chapter, and provisions relating to payment contained in that section
26 equally apply under this chapter, but shall not exceed seven thousand
27 dollars per claim.

28 (7) The benefits established in RCW 51.32.090 for temporary total
29 disability shall be the benefits obtainable under this chapter, and
30 provisions relating to payment contained in that section apply under
31 this chapter(~~(:—PROVIDED)~~), except that no person is eligible for
32 temporary total disability benefits under this chapter if such person
33 was not gainfully employed at the time of the criminal act(~~(, and was~~
34

1 ~~not so employed for at least three consecutive months of the twelve~~
2 ~~months immediately preceding the criminal act)).~~

3 (8) The benefits established in RCW 51.32.095 for continuation of
4 benefits during vocational rehabilitation shall be benefits obtainable
5 under this chapter, and provisions relating to payment contained in
6 that section apply under this chapter(~~(:—PROVIDED)~~), except that
7 benefits shall not exceed five thousand dollars for any single injury.

8 (9) The provisions for lump sum payment of benefits upon death or
9 permanent total disability as contained in RCW 51.32.130 apply under
10 this chapter.

11 (10) The provisions relating to payment of benefits to, for or on
12 behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100,
13 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and
14 51.32.210 are applicable to payment of benefits to, for or on behalf
15 of victims under this chapter.

16 (11) No person or spouse, child, or dependent of such person is
17 entitled to benefits under this chapter where the person making a
18 claim for such benefits has refused to give reasonable cooperation to
19 state or local law enforcement agencies in their efforts to apprehend
20 and convict the perpetrator(s) of the criminal act which gave rise to
21 the claim.

22 (12) In addition to other benefits provided under this chapter,
23 victims of sexual assault are entitled to receive appropriate
24 counseling. Fees for such counseling shall be determined by the
25 department in accordance with RCW 51.04.030, subject to the
26 limitations of RCW 7.68.080. Counseling services may include, if
27 determined appropriate by the department, counseling of members of the
28 victim's immediate family, other than the perpetrator of the assault.

29 (~~(13) ((Except for medical benefits authorized under RCW 7.68.080,~~
30 ~~no more than thirty thousand dollars shall be granted as a result of a~~
31 ~~single injury or death, except that benefits granted as the result of~~
32 ~~total permanent disability or death shall not exceed forty thousand~~
33 ~~dollars.~~

34 ~~—(14))~~) Notwithstanding other provisions of this chapter and Title

1 51 RCW, benefits payable for total temporary disability under
2 subsection (7) of this section, shall be limited to fifteen thousand
3 dollars.

4 ~~((+15+))~~ (14) Any person who is responsible for the victim's
5 injuries, or who would otherwise be unjustly enriched as a result of
6 the victim's injuries, shall not be a beneficiary under this chapter.

7 ~~((+16+))~~ (15) Crime victims' compensation is not available to pay
8 for services covered under chapter 74.09 RCW or Title XIX of the
9 federal social security act, except to the extent that the costs for
10 such services exceed service limits established by the department of
11 social and health services or, during the 1993-95 fiscal biennium, to
12 the extent necessary to provide matching funds for federal medicaid
13 reimbursement.

14 ~~((+17+))~~ (16) In addition to other benefits provided under this
15 chapter, immediate family members of a homicide victim may receive
16 appropriate counseling to assist in dealing with the immediate, near-
17 term consequences of the related effects of the homicide. Fees for
18 counseling shall be determined by the department in accordance with
19 RCW 51.04.030, subject to the limitations of RCW 7.68.080. Payment of
20 counseling benefits under this section may not be provided to the
21 perpetrator of the homicide. The benefits under this subsection may
22 be provided only with respect to homicides committed on or after July
23 1, 1992.

24 ~~((+18+))~~ (17) A dependent mother, father, stepmother, or
25 stepfather, as defined in RCW 51.08.050, who is a survivor of her or
26 his child's homicide, who has been requested by a law enforcement
27 agency or a prosecutor to assist in the judicial proceedings related
28 to the death of the victim, and who is not domiciled in Washington
29 state at the time of the request, may receive a lump-sum payment upon
30 arrival in this state. Total benefits under this subsection may not
31 exceed seven thousand five hundred dollars. If more than one
32 dependent parent is eligible for this benefit, the lump-sum payment of
33 seven thousand five hundred dollars shall be divided equally among the
34 dependent parents.

1 ~~((19))~~ (18) A victim whose crime occurred in another state who
2 qualifies for benefits under RCW 7.68.060(4) may receive appropriate
3 mental health counseling to address distress arising from
4 participation in the civil commitment proceedings. Fees for
5 counseling shall be determined by the department in accordance with
6 RCW 51.04.030, subject to the limitations of RCW 7.68.080.

7 (19) A victim is not eligible for benefits under this act if such
8 victim:

9 (a) Has been convicted of a felony offense within five years
10 preceding the criminal act for which they are applying where the
11 felony offense is a violent offense under RCW 9.94A.030 or a crime
12 against persons under RCW 9.94A.411, or is convicted of such a felony
13 offense after applying; and

14 (b) Has not completely satisfied all legal financial obligations
15 owed prior to applying for benefits.

16
17 **Sec. 2.** RCW 7.68.085 and 2009 c 479 s 9 are each amended to read
18 as follows:

19 (1) This section has no force or effect from the effective date of
20 this section until July 1, 2015.

21 (2) The director of labor and industries shall institute a cap on
22 medical benefits of one hundred fifty thousand dollars per injury or
23 death. Payment for medical services in excess of the cap shall be
24 made available to any innocent victim under the same conditions as
25 other medical services and if the medical services are:

26 ~~((1))~~ (a) Necessary for a previously accepted condition;

27 ~~((2))~~ (b) Necessary to protect the victim's life or prevent
28 deterioration of the victim's previously accepted condition; and

29 ~~((3))~~ (c) Not available from an alternative source.

30 For the purposes of this section, an individual will not be
31 required to use his or her assets other than funds recovered as a
32 result of a civil action or criminal restitution, for medical expenses
33 or pain and suffering, in order to qualify for an alternative source
34 of payment.

1 The director shall, in cooperation with the department of social
2 and health services, establish by October 1, 1989, a process to aid
3 crime victims in identifying and applying for appropriate alternative
4 benefit programs, if any, administered by the department of social and
5 health services.

6
7 NEW SECTION. **Sec. 3.** A new section is added to chapter 7.68 RCW
8 to read as follows:

9 The crime victims' compensation account is created in the custody
10 of the state treasurer. Expenditures from the account may be used
11 only for the crime victims' compensation program under this chapter.
12 Only the director of the department or the director's designee may
13 authorize expenditures from the account. The account is subject to
14 allotment procedures under chapter 43.88 RCW, but an appropriation is
15 not required for expenditures.

16
17 **Sec. 4.** RCW 9A.82.110 and 2009 c 479 s 11 are each amended to
18 read as follows:

19 (1) In an action brought by the attorney general on behalf of the
20 state under RCW 9A.82.100(1)(b)(i) in which the state prevails, any
21 payments ordered in excess of the actual damages sustained shall be
22 deposited in the ((~~state general fund~~)) crime victims' compensation
23 account provided in section 3 of this act.

24 (2)(a) The county legislative authority may establish an
25 antiprofitereing revolving fund to be administered by the county
26 prosecuting attorney under the conditions and for the purposes
27 provided by this subsection. Disbursements from the fund shall be on
28 authorization of the county prosecuting attorney. No appropriation is
29 required for disbursements.

30 (b) Any prosecution and investigation costs, including attorney's
31 fees, recovered for the state by the county prosecuting attorney as a
32 result of enforcement of civil and criminal statutes pertaining to any
33 offense included in the definition of criminal profiteering, whether
34 by final judgment, settlement, or otherwise, shall be deposited, as

1 directed by a court of competent jurisdiction, in the fund established
2 by this subsection. In an action brought by a prosecuting attorney on
3 behalf of the county under RCW 9A.82.100(1)(b)(i) in which the county
4 prevails, any payments ordered in excess of the actual damages
5 sustained shall be deposited in the (~~state general fund~~) crime
6 victims' compensation account provided in section 3 of this act.

7 (c) The county legislative authority may prescribe a maximum level
8 of moneys in the antiprofitteering revolving fund. Moneys exceeding
9 the prescribed maximum shall be transferred to the county current
10 expense fund.

11 (d) The moneys in the fund shall be used by the county prosecuting
12 attorney for the investigation and prosecution of any offense, within
13 the jurisdiction of the county prosecuting attorney, included in the
14 definition of criminal profiteering, including civil enforcement.

15 (e) If a county has not established an antiprofitteering revolving
16 fund, any payments or forfeitures ordered to the county under this
17 chapter shall be deposited to the county current expense fund.

18
19 **Sec. 5.** RCW 72.09.111 and 2009 c 479 s 60 are each amended to
20 read as follows:

21 (1) The secretary shall deduct taxes and legal financial
22 obligations from the gross wages, gratuities, or workers' compensation
23 benefits payable directly to the inmate under chapter 51.32 RCW, of
24 each inmate working in correctional industries work programs, or
25 otherwise receiving such wages, gratuities, or benefits. The
26 secretary shall also deduct child support payments from the gratuities
27 of each inmate working in class II through class IV correctional
28 industries work programs. The secretary shall develop a formula for
29 the distribution of offender wages, gratuities, and benefits. The
30 formula shall not reduce the inmate account below the indigency level,
31 as defined in RCW 72.09.015.

32 (a) The formula shall include the following minimum deductions
33 from class I gross wages and from all others earning at least minimum
34 wage:

1 (i) Five percent to the ((~~state general fund~~)) crime victims'
2 compensation account provided in section 3 of this act;

3 (ii) Ten percent to a department personal inmate savings account;

4 (iii) Twenty percent to the department to contribute to the cost
5 of incarceration; and

6 (iv) Twenty percent for payment of legal financial obligations for
7 all inmates who have legal financial obligations owing in any
8 Washington state superior court.

9 (b) The formula shall include the following minimum deductions
10 from class II gross gratuities:

11 (i) Five percent to the ((~~state general fund~~)) crime victims'
12 compensation account provided in section 3 of this act;

13 (ii) Ten percent to a department personal inmate savings account;

14 (iii) Fifteen percent to the department to contribute to the cost
15 of incarceration;

16 (iv) Twenty percent for payment of legal financial obligations for
17 all inmates who have legal financial obligations owing in any
18 Washington state superior court; and

19 (v) Fifteen percent for any child support owed under a support
20 order.

21 (c) The formula shall include the following minimum deductions
22 from any workers' compensation benefits paid pursuant to RCW
23 51.32.080:

24 (i) Five percent to the ((~~state general fund~~)) crime victims'
25 compensation account provided in section 3 of this act;

26 (ii) Ten percent to a department personal inmate savings account;

27 (iii) Twenty percent to the department to contribute to the cost
28 of incarceration; and

29 (iv) An amount equal to any legal financial obligations owed by
30 the inmate established by an order of any Washington state superior
31 court up to the total amount of the award.

32 (d) The formula shall include the following minimum deductions
33 from class III gratuities:

34

1 (i) Five percent for the (~~state general fund~~) crime victims'
2 compensation account provided in section 3 of this act; and

3 (ii) Fifteen percent for any child support owed under a support
4 order.

5 (e) The formula shall include the following minimum deduction from
6 class IV gross gratuities:

7 (i) Five percent to the department to contribute to the cost of
8 incarceration; and

9 (ii) Fifteen percent for any child support owed under a support
10 order.

11 (2) Any person sentenced to life imprisonment without possibility
12 of release or parole under chapter 10.95 RCW or sentenced to death
13 shall be exempt from the requirement under subsection (1)(a)(ii),
14 (b)(ii), or (c)(ii).

15 (3)(a) The department personal inmate savings account, together
16 with any accrued interest, shall only be available to an inmate at the
17 following times:

18 (i) The time of his or her release from confinement;

19 (ii) Prior to his or her release from confinement in order to
20 secure approved housing; or

21 (iii) When the secretary determines that an emergency exists for
22 the inmate.

23 (b) If funds are made available pursuant to (a)(ii) or (iii) of
24 this subsection, the funds shall be made available to the inmate in an
25 amount determined by the secretary.

26 (c) The management of classes I, II, and IV correctional
27 industries may establish an incentive payment for offender workers
28 based on productivity criteria. This incentive shall be paid
29 separately from the hourly wage/gratuity rate and shall not be subject
30 to the specified deduction for cost of incarceration.

31 (4)(a) Subject to availability of funds for the correctional
32 industries program, the expansion of inmate employment in class I and
33 class II correctional industries shall be implemented according to the
34 following schedule:

1 (i) Not later than June 30, 2005, the secretary shall achieve a
2 net increase of at least two hundred in the number of inmates employed
3 in class I or class II correctional industries work programs above the
4 number so employed on June 30, 2003;

5 (ii) Not later than June 30, 2006, the secretary shall achieve a
6 net increase of at least four hundred in the number of inmates
7 employed in class I or class II correctional industries work programs
8 above the number so employed on June 30, 2003;

9 (iii) Not later than June 30, 2007, the secretary shall achieve a
10 net increase of at least six hundred in the number of inmates employed
11 in class I or class II correctional industries work programs above the
12 number so employed on June 30, 2003;

13 (iv) Not later than June 30, 2008, the secretary shall achieve a
14 net increase of at least nine hundred in the number of inmates
15 employed in class I or class II correctional industries work programs
16 above the number so employed on June 30, 2003;

17 (v) Not later than June 30, 2009, the secretary shall achieve a
18 net increase of at least one thousand two hundred in the number of
19 inmates employed in class I or class II correctional industries work
20 programs above the number so employed on June 30, 2003;

21 (vi) Not later than June 30, 2010, the secretary shall achieve a
22 net increase of at least one thousand five hundred in the number of
23 inmates employed in class I or class II correctional industries work
24 programs above the number so employed on June 30, 2003.

25 (b) Failure to comply with the schedule in this subsection does
26 not create a private right of action.

27 (5) In the event that the offender worker's wages, gratuity, or
28 workers' compensation benefit is subject to garnishment for support
29 enforcement, the (~~state general fund~~) crime victims' compensation
30 account, savings, and cost of incarceration deductions shall be
31 calculated on the net wages after taxes, legal financial obligations,
32 and garnishment.

33 (6) The department shall explore other methods of recovering a
34 portion of the cost of the inmate's incarceration and for encouraging

1 participation in work programs, including development of incentive
2 programs that offer inmates benefits and amenities paid for only from
3 wages earned while working in a correctional industries work program.

4 (7) The department shall develop the necessary administrative
5 structure to recover inmates' wages and keep records of the amount
6 inmates pay for the costs of incarceration and amenities. All funds
7 deducted from inmate wages under subsection (1) of this section for
8 the purpose of contributions to the cost of incarceration shall be
9 deposited in a dedicated fund with the department and shall be used
10 only for the purpose of enhancing and maintaining correctional
11 industries work programs.

12 (8) It shall be in the discretion of the secretary to apportion
13 the inmates between class I and class II depending on available
14 contracts and resources.

15 (9) Nothing in this section shall limit the authority of the
16 department of social and health services division of child support
17 from taking collection action against an inmate's moneys, assets, or
18 property pursuant to chapter 26.23, 74.20, or 74.20A RCW.

19
20 **Sec. 6.** RCW 72.09.480 and 2009 c 479 s 61 are each amended to
21 read as follows:

22 (1) Unless the context clearly requires otherwise, the definitions
23 in this section apply to this section.

24 (a) "Cost of incarceration" means the cost of providing an inmate
25 with shelter, food, clothing, transportation, supervision, and other
26 services and supplies as may be necessary for the maintenance and
27 support of the inmate while in the custody of the department, based on
28 the average per inmate costs established by the department and the
29 office of financial management.

30 (b) "Minimum term of confinement" means the minimum amount of time
31 an inmate will be confined in the custody of the department,
32 considering the sentence imposed and adjusted for the total potential
33 earned early release time available to the inmate.

1 (c) "Program" means any series of courses or classes necessary to
2 achieve a proficiency standard, certificate, or postsecondary degree.

3 (2) When an inmate, except as provided in subsections (4) and (8)
4 of this section, receives any funds in addition to his or her wages or
5 gratuities, except settlements or awards resulting from legal action,
6 the additional funds shall be subject to the following deductions and
7 the priorities established in chapter 72.11 RCW:

8 (a) Five percent to the (~~state general fund~~) crime victims'
9 compensation account provided in section 3 of this act;

10 (b) Ten percent to a department personal inmate savings account;

11 (c) Twenty percent for payment of legal financial obligations for
12 all inmates who have legal financial obligations owing in any
13 Washington state superior court;

14 (d) Twenty percent for any child support owed under a support
15 order; and

16 (e) Twenty percent to the department to contribute to the cost of
17 incarceration.

18 (3) When an inmate, except as provided in subsection (8) of this
19 section, receives any funds from a settlement or award resulting from
20 a legal action, the additional funds shall be subject to the
21 deductions in RCW 72.09.111(1)(a) and the priorities established in
22 chapter 72.11 RCW.

23 (4) When an inmate who is subject to a child support order
24 receives funds from an inheritance, the deduction required under
25 subsection (2)(e) of this section shall only apply after the child
26 support obligation has been paid in full.

27 (5) The amount deducted from an inmate's funds under subsection
28 (2) of this section shall not exceed the department's total cost of
29 incarceration for the inmate incurred during the inmate's minimum or
30 actual term of confinement, whichever is longer.

31 (6)(a) The deductions required under subsection (2) of this
32 section shall not apply to funds received by the department from an
33 offender or from a third party on behalf of an offender for payment of
34

1 education or vocational programs or postsecondary education degree
2 programs as provided in RCW 72.09.460 and 72.09.465.

3 (b) The deductions required under subsection (2) of this section
4 shall not apply to funds received by the department from a third
5 party, including but not limited to a nonprofit entity on behalf of
6 the department's education, vocation, or postsecondary education
7 degree programs.

8 (7) The deductions required under subsection (2) of this section
9 shall not apply to any money received by the department, on behalf of
10 an inmate, from family or other outside sources for the payment of
11 postage expenses. Money received under this subsection may only be
12 used for the payment of postage expenses and may not be transferred to
13 any other account or purpose. Money that remains unused in the
14 inmate's postage fund at the time of release shall be subject to the
15 deductions outlined in subsection (2) of this section.

16 (8) When an inmate sentenced to life imprisonment without
17 possibility of release or sentenced to death under chapter 10.95 RCW
18 receives funds, deductions are required under subsection (2) of this
19 section, with the exception of a personal inmate savings account under
20 subsection (2)(b) of this section.

21 (9) The secretary of the department of corrections, or his or her
22 designee, may exempt an inmate from a personal inmate savings account
23 under subsection (2)(b) of this section if the inmate's earliest
24 release date is beyond the inmate's life expectancy.

25 (10) The interest earned on an inmate savings account created as a
26 result of the plan in section 4, chapter 325, Laws of 1999 shall be
27 exempt from the mandatory deductions under this section and RCW
28 72.09.111.

29 (11) Nothing in this section shall limit the authority of the
30 department of social and health services division of child support,
31 the county clerk, or a restitution recipient from taking collection
32 action against an inmate's moneys, assets, or property pursuant to
33 chapter 9.94A, 26.23, 74.20, or 74.20A RCW including, but not limited
34

1 to, the collection of moneys received by the inmate from settlements
2 or awards resulting from legal action.

3
4 NEW SECTION. **Sec. 7.** A new section is added to chapter 7.68 RCW
5 to read as follows:

6 (1) Within current funding levels, the department's crime victims'
7 compensation program shall post on its public web site a report that
8 shows the following items:

9 (a) The total amount of current funding available in the crime
10 victims' compensation fund;

11 (b) The total amount of funding disbursed to victims in the
12 previous thirty days; and

13 (c) The total amount paid in overhead and administrative costs in
14 the previous thirty days.

15 (2) The information listed in subsection (1) of this section must
16 be posted and maintained on the department's web site by July 1, 2010
17 and updated every thirty days thereafter.

18
19 NEW SECTION. **Sec. 8.** Sections 1 and 2 of this act are necessary
20 for the immediate preservation of the public peace, health, or safety,
21 or support of the state government and its existing public
22 institutions, and take effect April 1, 2010, for all claims of victims
23 of criminal acts occurring after July 1, 1981.

24
25 NEW SECTION. **Sec. 9.** Sections 1 and 2 of this act expire July 1,
26 2015."

27 Correct the title.

28
29
EFFECT: Increases burial benefits under the Crime Victims
Compensation Program to \$6,800 from \$5,000 (in the original House
Striker) per claim for the death of a victim.

--- END ---