

E2SSB 6504 - H AMD 1602

By Representative Ross

ADOPTED 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)) five thousand seven hundred fifty dollars per claim;~~
16 ~~and~~

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

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

34

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (7) The benefits established in RCW 51.32.090 for temporary total
31 disability shall be the benefits obtainable under this chapter, and
32 provisions relating to payment contained in that section apply under
33 this chapter(~~(:—PROVIDED))~~), except that no person is eligible for
34 temporary total disability benefits under this chapter if such person

1 was not gainfully employed at the time of the criminal act(~~(, and was~~
2 ~~not so employed for at least three consecutive months of the twelve~~
3 ~~months immediately preceding the criminal act))).~~

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

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

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

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

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

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

1 ~~---~~~~(14))~~) Notwithstanding other provisions of this chapter and Title
2 51 RCW, benefits payable for total temporary disability under
3 subsection (7) of this section, shall be limited to fifteen thousand
4 dollars.

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

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

15 ~~((17))~~) (16) In addition to other benefits provided under this
16 chapter, immediate family members of a homicide victim may receive
17 appropriate counseling to assist in dealing with the immediate, near-
18 term consequences of the related effects of the homicide. Fees for
19 counseling shall be determined by the department in accordance with
20 RCW 51.04.030, subject to the limitations of RCW 7.68.080. Payment of
21 counseling benefits under this section may not be provided to the
22 perpetrator of the homicide. The benefits under this subsection may
23 be provided only with respect to homicides committed on or after July
24 1, 1992.

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

1 seven thousand five hundred dollars shall be divided equally among the
2 dependent parents.

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

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

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

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

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

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

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

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

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

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

32 For the purposes of this section, an individual will not be
33 required to use his or her assets other than funds recovered as a
34 result of a civil action or criminal restitution, for medical expenses

1 or pain and suffering, in order to qualify for an alternative source
2 of payment.

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

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

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

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

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

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

32 (b) Any prosecution and investigation costs, including attorney's
33 fees, recovered for the state by the county prosecuting attorney as a
34 result of enforcement of civil and criminal statutes pertaining to any

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

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

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

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

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

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

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

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

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

7 (iii) Twenty percent to the department to contribute to the cost
8 of incarceration; and

9 (iv) Twenty percent for payment of legal financial obligations for
10 all inmates who have legal financial obligations owing in any
11 Washington state superior court.

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

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

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

17 (iii) Fifteen percent to the department to contribute to the cost
18 of incarceration;

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

22 (v) Fifteen percent for any child support owed under a support
23 order.

24 (c) The formula shall include the following minimum deductions
25 from any workers' compensation benefits paid pursuant to RCW
26 51.32.080:

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

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

30 (iii) Twenty percent to the department to contribute to the cost
31 of incarceration; and

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

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

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

5 (ii) Fifteen percent for any child support owed under a support
6 order.

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

9 (i) Five percent to the department to contribute to the cost of
10 incarceration; and

11 (ii) Fifteen percent for any child support owed under a support
12 order.

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

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

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

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

23 (iii) When the secretary determines that an emergency exists for
24 the inmate.

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

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

33 (4)(a) Subject to availability of funds for the correctional
34 industries program, the expansion of inmate employment in class I and

1 class II correctional industries shall be implemented according to the
2 following schedule:

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

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

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

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

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

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

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

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

1 (6) The department shall explore other methods of recovering a
2 portion of the cost of the inmate's incarceration and for encouraging
3 participation in work programs, including development of incentive
4 programs that offer inmates benefits and amenities paid for only from
5 wages earned while working in a correctional industries work program.

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

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

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

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

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

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

32 (b) "Minimum term of confinement" means the minimum amount of time
33 an inmate will be confined in the custody of the department,
34

1 considering the sentence imposed and adjusted for the total potential
2 earned early release time available to the inmate.

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

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

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

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

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

16 (d) Twenty percent for any child support owed under a support
17 order; and

18 (e) Twenty percent to the department to contribute to the cost of
19 incarceration.

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

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

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

33 (6)(a) The deductions required under subsection (2) of this
34 section shall not apply to funds received by the department from an

1 offender or from a third party on behalf of an offender for payment of
2 education or vocational programs or postsecondary education degree
3 programs as provided in RCW 72.09.460 and 72.09.465.

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

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

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

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

26 (10) The interest earned on an inmate savings account created as a
27 result of the plan in section 4, chapter 325, Laws of 1999 shall be
28 exempt from the mandatory deductions under this section and RCW
29 72.09.111.

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

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
30 Compensation Program to \$5,750 from \$5,000 (in the original House
31 Striker) per claim for the death of a victim.

32
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--- END ---