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HOUSE BILL 2878

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State of Washington                      64th Legislature                      2016 Regular Session

By Representatives Kilduff, Robinson, Muri, and Ormsby

Read first time 01/25/16. Referred to Committee on Public Safety.

1            AN ACT Relating to creating a penalty assessment for crimes  
2 involving the abuse of children used to support child advocacy  
3 centers; adding a new section to chapter 9A.44 RCW; and prescribing  
4 penalties.

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

6            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 9A.44  
7 RCW to read as follows:

8            (1) All superior courts, and courts organized under Title 3 or 35  
9 RCW, may impose a penalty assessment not to exceed one thousand  
10 dollars on any adult offender convicted of a crime involving the  
11 physical abuse or sexual abuse of children. The assessment shall be  
12 in addition to, and shall not supersede, any other penalty,  
13 restitution, fines, or costs provided by law.

14            (2) Revenue from the assessment must be used solely for the  
15 purposes of establishing and funding children's advocacy centers. If  
16 the city or county does not have a children's advocacy center, cities  
17 and counties may use the revenue collected from the assessment to  
18 contract with recognized community-based children's advocacy program  
19 providers.

1 (3) The assessment imposed under this section is not subject to  
2 any state or local remittance requirements under chapter 3.46, 3.50,  
3 3.62, 7.68, 10.82, or 35.20 RCW.

4 (4) For the purposes of this section:

5 (a) "Convicted" includes a plea of guilty, a finding of guilt  
6 regardless of whether the imposition of the sentence is deferred or  
7 any part of the penalty is suspended, or the levying of a fine.

8 (b) "Children's advocacy center" has the same meaning as that  
9 term is defined under RCW 26.44.020.

10 (5) When determining whether to impose a penalty assessment under  
11 this section, judges are encouraged to solicit input from the victim  
12 or representatives of the victim in assessing the ability of the  
13 convicted offender to pay the penalty, including information  
14 regarding current financial obligations, family circumstances, and  
15 ongoing restitution.

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