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**SENATE BILL 5215**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senators Roach, Pedersen, Kohl-Welles, Baumgartner, Padden, Darneille, Keiser, Benton, and O'Ban

Read first time 01/15/15. Referred to Committee on Law & Justice.

1 AN ACT Relating to establishing the Washington internet crimes  
2 against children account; amending RCW 10.82.070; adding a new  
3 section to chapter 7.68 RCW; creating new sections; and prescribing  
4 penalties.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
7 internet crimes against children task force program, through the  
8 United States department of justice, helps state and local law  
9 enforcement agencies develop an effective response to technology-  
10 facilitated child sexual exploitation and internet crimes against  
11 children. This help encompasses forensic and investigative  
12 components, training and technical assistance, victim services, and  
13 community education. The program is a national network of sixty-one  
14 coordinated task forces representing over three thousand five hundred  
15 federal, state, and local law enforcement and prosecutorial agencies.  
16 In calendar year 2013, the program's investigations contributed to  
17 the arrests of more than seven thousand four hundred individuals and  
18 task forces conducted over sixty thousand ninety-eight forensic  
19 examinations. Additionally, the program trained over thirty thousand  
20 law enforcement personnel, over three thousand five hundred

1 prosecutors, and more than five thousand three hundred other  
2 professionals working in the program's field.

3 (2) The legislature finds that there is a lack of dedicated state  
4 resources to combat internet-facilitated crimes against children. As  
5 a result, many of the cases involving internet-facilitated crimes are  
6 not adequately investigated. The legislature further finds that a  
7 minimum of fifteen full-time affiliate investigators and three  
8 forensic examiners are currently needed even to just investigate the  
9 very worst of these cases in Washington. It is the intent of the  
10 legislature to create an account dedicated to combating internet-  
11 facilitated crimes against children, promoting education on internet  
12 safety to the public and to minors, and rescuing child victims from  
13 abuse and exploitation.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 7.68 RCW  
15 to read as follows:

16 (1) When any person is found guilty in any district or superior  
17 court of having committed a misdemeanor, gross misdemeanor, or  
18 felony, there shall be imposed by the court upon the convicted person  
19 a penalty assessment of three dollars. This assessment is in addition  
20 to any other penalty or fine and may not be waived.

21 (2) The assessment imposed by subsection (1) of this section does  
22 not apply to motor vehicle crimes defined in Title 46 RCW, except  
23 those defined in the following sections: RCW 46.61.520, 46.61.522,  
24 46.61.024, 46.52.090, 46.70.140, 46.61.502, 46.61.504, 46.52.101,  
25 46.20.410, 46.52.020, 46.10.495, 46.09.480, 46.61.5249, 46.61.525,  
26 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180,  
27 46.10.490(2), and 46.09.470(2).

28 (3) The assessment shall be paid by the clerk of the court to the  
29 county treasurer, who must monthly transmit the money as provided in  
30 RCW 10.82.070. Each county treasurer must deposit the money it  
31 receives under subsection (1) of this section into the Washington  
32 internet crimes against children account created in section 4 of this  
33 act.

34 **Sec. 3.** RCW 10.82.070 and 2012 c 136 s 6 are each amended to  
35 read as follows:

36 (1) All sums of money derived from costs, fines, penalties, and  
37 forfeitures imposed or collected, in whole or in part, by a superior  
38 court for violation of orders of injunction, mandamus and other like

1 writs, for contempt of court, or for breach of the penal laws shall  
2 be paid in cash by the person collecting the same, within twenty days  
3 after the collection, to the county treasurer of the county in which  
4 the same have accrued.

5 (2) Except as provided in RCW 9A.88.120 and 10.99.080, the county  
6 treasurer shall remit monthly thirty-two percent of the money  
7 received under this section except for certain costs to the state  
8 treasurer for deposit in the state general fund and shall deposit the  
9 remainder as provided by law. "Certain costs," as used in this  
10 subsection, means those costs awarded to prevailing parties in civil  
11 actions under RCW 4.84.010 or 36.18.040, or those costs awarded  
12 against convicted defendants in criminal actions under RCW 10.01.160,  
13 10.46.190, or 36.18.040, or other similar statutes if such costs are  
14 specifically designated as costs by the court and are awarded for the  
15 specific reimbursement of costs incurred by the state or county in  
16 the prosecution of the case, including the fees of defense counsel.  
17 Costs or assessments awarded to dedicated accounts, state or local,  
18 are not subject to this state allocation (~~or to~~), RCW 7.68.035, or  
19 section 2 of this act.

20 (3) All fees, fines, forfeitures, and penalties collected or  
21 assessed by a district court because of the violation of a state law  
22 shall be remitted as provided in chapter 3.62 RCW as now exists or is  
23 later amended. All fees, fines, forfeitures, and penalties collected  
24 or assessed by a superior court in cases on appeal from a lower court  
25 shall be remitted to the municipal or district court from which the  
26 cases were appealed.

27 NEW SECTION. **Sec. 4.** The Washington internet crimes against  
28 children account is created in the state treasury. All receipts from  
29 section 2 of this act must be deposited in the account. Expenditures  
30 from the account must be used exclusively by the Washington internet  
31 crimes against children task force and its affiliate agencies for  
32 combating internet-facilitated crimes against children, promoting  
33 education on internet safety to the public and to minors, and  
34 rescuing child victims from abuse and exploitation. Only the director  
35 of the Washington association of sheriffs and police chiefs or the  
36 director's designee may authorize expenditures from the account. The

1 account is subject to allotment procedures under chapter 43.88 RCW,  
2 but an appropriation is not required for expenditures.

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