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**SUBSTITUTE HOUSE BILL 1278**

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**State of Washington                      54th Legislature                      1995 Regular Session**

**By** House Committee on Law & Justice (originally sponsored by Representatives Lambert, Mason, Costa, Delvin and Huff)

Read first time 02/13/95.

1            AN ACT Relating to restitution; and creating new sections.

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

3            NEW SECTION.    **Sec. 1.** Section 1, chapter ... (SHB 1047), Laws of  
4 1995 shall apply retroactively to allow courts to set restitution in  
5 cases sentenced prior to the effective date of section 1, chapter ...  
6 (SHB 1047), Laws of 1995 if:

7            (1) The court failed to set restitution within sixty days of  
8 sentencing as required by RCW 9.94A.140 prior to the effective date of  
9 section 1, chapter ... (SHB 1047), Laws of 1995;

10           (2) The defendant was sentenced no more than three hundred sixty-  
11 five days before the effective date of section 1, chapter ... (SHB  
12 1047), Laws of 1995; and

13           (3) The defendant is not unfairly prejudiced by the delay.

14           In those cases, the court may set restitution within one hundred  
15 eighty days of the effective date of section 1, chapter ... (SHB 1047),  
16 Laws of 1995 or at a later hearing set by the court for good cause.

1        NEW SECTION.    **Sec. 2.**    If section 1, chapter ... (SHB 1047), Laws  
2 of 1995 fails to become law, this act is null and void.

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