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What are considered a sex offenses under RCW 9.94A.030(46) and their corresponding statute of limitations?¹

The following is a list of "sex offenses" included by definition in RCW 9.94A.030(46)				
RCW 9.94A.030(46)(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.130(12);				
	Name of offense	RCW	Felony Class	Statute of Limitations (9A.04.080)
	1 st Degree Rape	9A.44.040	A	<ul style="list-style-type: none"> • If the rape is reported within one year -10 years. • If the rape is reported within one year and victim is under 14, it may be prosecuted up to 3 years after the victim's 18th birthday or up to 10 years after the offense, whichever is later. • If the rape is <u>not</u> reported within one year – 3 years. • If the rape is <u>not</u> reported within one year, and the victim is under 14 it may be prosecuted up to 3 years after the victim's 18th birthday or up to 7 years after the offense, whichever is later.
	2 nd Degree Rape	9A.44.050	A	<ul style="list-style-type: none"> • If the rape is reported within one year -10 years. • If the rape is reported within one year and victim is under 14, it may be prosecuted up to 3 years after the victim's 18th birthday or up to 10 years after the offense, whichever is later. • If the rape is <u>not</u> reported within one year – 3 years. • If the rape is <u>not</u> reported within one year, and victim is under 14 it may be prosecuted up to 3 years after the victim's 18th birthday or up to 7 years after the offense, whichever is later.
	3 rd Degree Rape of a Child	9A.44.079	C	3 years.

¹ Some offenses within RCW 9.94A.030(46) were omitted from this table. The omitted offenses do not trigger statutes of limitations.

	Name of offense	RCW	Felony Class	Statute of Limitations (9A.04.080)
	1 st Degree Child Molestation	9A.44.083	A	3 years after the victim's 18th birthday or 7 years after the offense, whichever is later.
	2 nd Degree Child Molestation	9A.44.086	B	3 years after the victim's 18th birthday or 7 years after the offense, whichever is later.
	3 rd Degree Child Molestation	9A.44.089	C	3 years.
	1 st Degree Sexual Misconduct with a Minor	9A.44.093	C	3 years.
	Indecent Liberties - By forcible compulsion	9A.44.100(1)(a)	A	3years.
	Indecent Liberties - When victim is incapable of consent	9A.44.100(1)(b)	B	3 years after the victim's 18th birthday or 7 years after the offense, whichever is later.
	Indecent Liberties - When the victim is a person with a developmental disability	9A.44.100(1)(c)	B	3 years.
	Indecent Liberties - When the perpetrator is a health care provider, the victim is a client or patient, and the sexual	9A.44.100(1)(d)	B	3 years.

	contact occurs during a treatment session.			
	Name of offense	RCW	Felony Class	Statute of Limitations
	Indecent Liberties - When the victim is a resident of a facility and has supervisory authority over the victim;	9A.44.100(1)(e)	B	3 years.
	Indecent Liberties - When the victim is a frail elder or vulnerable adult	9a.44.100(1)(f)(i) and (ii)	B	3 years.
	Sexually violating human remains	9A.44.105	C	3 years.
	Voyeurism	9A.44.115	C	3 years unless, the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within 2 years of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed.
	1 st Degree Custodial Sexual Misconduct	9A.44.160	C	3 years.
RCW 9.94A.030(46)(a)(ii) a violation of RCW 9A.64.020				
	1 st Degree Incest	9A.64.020(1)(a)	B	3 years after the victim's 18th birthday or 7 years after the offense, whichever is later.
	2 nd Degree Incest	9A.64.020(2)(a)	C	3 years after the victim's 18th birthday or 7 years after the offense, whichever

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				is later.
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RCW 9.94A.030(46)(a)(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;				
	Name of offense	RCW	Felony Class	Statute of Limitations
	Sexual exploitation of a minor	9.68A.040	B	3 years.
	Dealing in depictions of minor engaged in sexually explicit conduct - knowingly develops, duplicates etc.	9.68A.050(1)	C	3 years.
	Dealing in depictions of minor engaged in sexually explicit conduct - possesses with intent to develop, duplicates etc.	9.68A.050(2)	C	3 years.
	Sending, bringing into state depictions of minor engaged in sexually explicit conduct	9.68A.060	C	3 years.

	Name of offense	RCW	Felony Class	Statute of Limitations
	Communicating with a minor for immoral purposes - with previous felony sexual offense	9.68A.090(2)	C	3 years.
	Commercial sex abuse of a minor	9.68A.100	C	3 years.
	Promoting commercial sex abuse of a minor	9.68A.101	B	3 years.
	Promoting travel for commercial sex abuse of a minor	9.68A.102	C	3 years.
RCW 9.94A.030(46)(a)(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy				
	Attempt, Solicitation, Conspiracy of any Class A or B felony		Any Felony	3 Years. Washington makes no special statute of limitation provisions for attempt, solicitation, or conspiracy of sex offenses (some states do). However, under 9A.04.080(3) attempt, solicitation, or conspiracy of any Class A or B felony may be tolled for identity established by DNA.
RCW 9.94A.30(46)(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135				Statute of limitations will be based on the underlying felony charged. Sexual motivation is an additional finding the jury makes, and does not affect the statute of limitation.

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