
SUBSTITUTE HOUSE BILL 2009

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Cairnes, Bush and Roach)

Read first time 02/27/2001. Referred to Committee on .

1 AN ACT Relating to creation of an identity theft bureau; adding a
2 new section to chapter 43.43 RCW; adding a new section to chapter 43.10
3 RCW; and adding a new section to chapter 9.35 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43 RCW
6 to read as follows:

7 The identity theft bureau is created in the Washington state
8 patrol, to consist of law enforcement officers, assistant attorneys
9 general, and representatives of county prosecuting attorneys
10 experienced in the investigation, apprehension, and prosecution of
11 identity theft offenders under chapter 9.35 RCW. The bureau shall
12 coordinate and assist efforts of law enforcement agencies, prosecuting
13 attorneys, and the attorney general in investigating, apprehending, and
14 prosecuting offenders under chapter 9.35 RCW.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW
16 to read as follows:

1 An identity theft division is created in the office of the attorney
2 general to assist citizens in the prevention, education, and
3 prosecution of identity theft. The identity theft division shall:

4 (1) Provide a central point of consumer information and education
5 on issues related to identity theft;

6 (2) Provide technical assistance to businesses developing policies
7 regarding the use of nonpublic personal information, including
8 developing model information privacy policies; and

9 (3) Assist and coordinate with the identity theft bureau of the
10 Washington state patrol in the prosecution of crimes related to
11 identity theft.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.35 RCW
13 to read as follows:

14 (1) The following are subject to seizure and forfeiture and no
15 property right exists in them:

16 (a) All tangible or intangible property, including any right or
17 interest in such property, acquired by a person convicted of an offense
18 under this chapter to the extent the acquisition is the direct or
19 indirect result of the convicted person having committed the offense;
20 and

21 (b) Any property acquired through the traceable proceeds of
22 property described in (a) of this subsection.

23 (2) A seizure and forfeiture of property authorized under this
24 section shall be conducted in accordance with the provisions of RCW
25 7.68.320.

26 (3) The proceeds of any forfeiture action brought under this
27 section shall be distributed as follows:

28 (a) First, to the victims to satisfy any restitution ordered as
29 part of the convicted person's sentence; and

30 (b) Second, to the Washington state patrol for the operation of the
31 identity theft bureau.

--- END ---