

2009-S

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

Brief Description: Creating an identity theft bureau.

HB 2009-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates an identity theft bureau in the Washington state patrol, to consist of assistant attorneys general, law enforcement officers, and representatives of county prosecuting attorneys experienced in the investigation, apprehension, and prosecution of identity theft offenders under chapter 9.35 RCW.

Directs the bureau to coordinate and assist efforts of law enforcement agencies, prosecuting attorneys, and the attorney general in investigating, apprehending, and prosecuting offenders under chapter 9.35 RCW.

Creates an identity theft division in the office of the attorney general to assist citizens in the prevention, education, and prosecution of identity theft. The identity theft division shall: (1) Provide a central point of consumer information and education on issues related to identity theft;

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

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

Declares that the following are subject to seizure and forfeiture and no property right exists in them: (1) All tangible or intangible property, including any right or interest in such property, acquired by a person convicted of an offense under this chapter to the extent the acquisition is the direct or indirect result of the convicted person having committed the offense; and

(2) Any property acquired through the traceable proceeds of property described in this act.

Declares that a seizure and forfeiture of property authorized under this act shall be conducted in accordance with the provisions of RCW 7.68.320.

Requires the proceeds of any forfeiture action brought under this act to be distributed as follows: (1) First, to the victims to satisfy any restitution ordered as part of the convicted person's sentence; and

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