

1215

Sponsor(s): Representatives O'Brien, Sullivan, Ahern, Hunt, Crouse and McMahan

Brief Description: Providing penalties for elder fraud.

HB 1215 - DIGEST

Provides that, when any person is found guilty of having committed an offense against an elderly person under chapter 9A.60 RCW, the court shall assess a penalty. The assessment shall be in addition to any other penalty or fine imposed by law and shall be in the amount of up to ten thousand dollars for a felony offense and up to five thousand dollars for a nonfelony offense.

Requires that money collected under this act shall be paid by the clerk of the court to the county treasurer who shall monthly transmit the money to the state treasurer for deposit as follows:

- (1) Fifty percent of the money shall be deposited in the violence reduction and drug enforcement account under RCW 69.50.520; and

- (2) Fifty percent of the money shall be deposited in the public safety and education account under RCW 43.08.250, to be used solely for the crime victims' compensation program.

Provides that proceeds traceable to or derived from specified unlawful activity or a violation of chapter 19.86 RCW are subject to seizure and forfeiture if the violation was committed against an elderly person. The attorney general or county prosecuting attorney may file a civil action for the forfeiture of proceeds.

Provides that, unless otherwise provided for under this act, no property rights exist in these proceeds. All right, title, and interest in the proceeds vests in the governmental entity of which the seizing law enforcement agency is a part upon commission of the act or omission giving rise to forfeiture under this act.