

ESB 6091 - H COMM AMD
By Committee on Judiciary

ADOPTED 03/01/2016

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 11.84.010 and 2009 c 525 s 1 are each amended to
4 read as follows:

5 As used in this chapter:

6 (1) "Abuser" means any person who participates, either as a
7 principal or an accessory before the fact, in the willful and
8 unlawful financial exploitation of a vulnerable adult.

9 (2) "Decedent" means:

10 (a) Any person whose life is taken by a slayer; or

11 (b) Any deceased person who, at any time during life in which he
12 or she was a vulnerable adult, was the victim of financial
13 exploitation by an abuser.

14 (3) "Financial exploitation" has the same meaning as provided in
15 RCW 74.34.020, as enacted or hereafter amended.

16 (4) "Property" includes any real and personal property and any
17 right or interest therein.

18 (5) "Slayer" means any person who participates, either as a
19 principal or an accessory before the fact, in the willful and
20 unlawful killing of any other person as determined under RCW
21 11.84.140.

22 (6) "Vulnerable adult" has the same meaning as provided in RCW
23 74.34.020.

24 **Sec. 2.** RCW 11.84.140 and 2009 c 525 s 14 are each amended to
25 read as follows:

26 (1) A final judgment of conviction for the willful and unlawful
27 killing of the decedent is conclusive for purposes of determining
28 whether a person is a slayer under this section. A finding of not
29 guilty by reason of insanity for the willful and unlawful killing of
30 the decedent carries the same meaning as a judgment of conviction.

1 (2) In the absence of a criminal conviction or a finding of not
2 guilty by reason of insanity, a superior court finding by a
3 preponderance of the evidence that a person participated in the
4 willful and unlawful killing of the decedent is conclusive for
5 purposes of determining whether a person is a slayer under this
6 section.

7 NEW SECTION. **Sec. 3.** This act may be known and cited as Carol's
8 law."

9 Correct the title.

EFFECT: (1) Moves the language that includes persons found not
guilty by reason of insanity in the slayer statutes to the section
describing the criteria for establishing a person as a slayer; and
(2) states that a finding of not guilty by reason of insanity for
willfully and unlawfully killing the decedent carries the same
meaning as a conviction for purposes of the slayer statutes.

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