

FINAL BILL REPORT

ESB 6091

C 211 L 16
Synopsis as Enacted

Brief Description: Changing the definition of slayer.

Sponsors: Senators Dammeier, O'Ban, Conway and Becker.

Senate Committee on Law & Justice
House Committee on Judiciary

Background: Under certain circumstances, an individual who takes the life of another is not entitled to inherit property or receive any benefit from the person that individual killed. The slayer is deemed to have predeceased the decedent. This rule, in statute as part of the state's estate distribution laws, is commonly referred to as the "slayer statute." A "slayer" is a person who participates, either as a principal or an accessory before the fact, in the willful and unlawful killing of any other person. In 2009, the statute was amended to also restrict the inheritance rights of an abuser.

A criminal conviction for conduct constituting financial exploitation against a decedent, including but not limited to theft, forgery, fraud, identity theft, robbery, burglary, or extortion, is conclusive for the purposes of determining whether a person is an abuser. In the absence of a criminal conviction, a court may find by clear, cogent, and convincing evidence that:

- the decedent was a vulnerable adult at the time the alleged financial exploitation took place; and
- the conduct constituting financial exploitation was willful action or willful inaction causing injury to the property of the vulnerable adult.

Findings made by the court are conclusive for the purpose of determining whether a person is an abuser. Findings of abuse made by the Department of Social and Health Services are not admissible in any claim or proceeding to determine whether a person is an abuser for inheritance purposes.

Summary: For the purposes of determining whether a person is a "slayer," a finding of not guilty by reason of insanity for the willful and unlawful killing of a decedent carries the same meaning as a conviction for the offense. A slayer is not entitled to inherit property or receive any benefit from the person that the individual killed.

The Act will be known and cited as "Carol's Law."

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Votes on Final Passage:

Senate	49	0	
House	97	0	(House amended)
Senate	46	0	(Senate concurred)

Effective: June 9, 2016