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HOUSE BILL 1294

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Dellwo, Kessler, Wolfe, Romero, Appelwick, Basich and Cody

Read first time 01/20/95. Referred to Committee on Law and Justice.

1 AN ACT Relating to the head injury trust fund; adding a new section  
2 to chapter 46.61 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW  
5 to read as follows:

6 (1)(a) In addition to penalties set forth in RCW 46.61.5051 through  
7 46.61.5053, a twenty-five dollar fine shall be assessed to a person who  
8 is either convicted, sentenced to a lesser charge, or given deferred  
9 prosecution as a result of an arrest for violating RCW 46.61.502,  
10 46.61.504, 46.61.520, or 46.61.522. This fine is for the purpose of  
11 providing services to persons disabled by traumatic head injuries.

12 (b) If a minor has been adjudicated a juvenile offender for an  
13 offense which, if committed by an adult would constitute a violation of  
14 RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, the court shall  
15 assess the twenty-five dollar fine under (a) of this subsection.

16 (2) The fine assessed in this section shall be collected by the  
17 clerk of the court and forwarded to the state treasurer for deposit in  
18 the head injury trust fund.

1       (3) The head injury trust fund is created in the custody of the  
2 state treasurer. All receipts from fines under subsection (1) of this  
3 section shall be deposited into the fund. Expenditures from the fund  
4 may be used only to provide services to persons disabled by traumatic  
5 head injuries. Only the director of labor and industries or the  
6 director's designee may authorize expenditures from the fund. The fund  
7 is subject to allotment procedures under chapter 43.88 RCW, but no  
8 appropriation is required for expenditures.

9       (4) The director of labor and industries shall establish and  
10 administer a program of benefits for persons disabled by traumatic head  
11 injuries.

12       (5) For the purpose of applying for benefits under this section,  
13 the rights, privileges, responsibilities, duties, limitations, and  
14 procedures in RCW 51.28.020, 51.28.030, 51.28.040, and 51.28.060 apply.

15       (6) The right to benefits under this section and the amount thereof  
16 is governed insofar as applicable by chapter 51.32 RCW.

17       (7) The director of labor and industries may adopt rules under  
18 chapter 34.05 RCW as necessary to establish eligibility for benefits  
19 and amounts under this section.

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