

5439-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Kline, Heavey, Roach and Costa)

Brief Title: Enacting the Washington state false claims act.

**SB 5439-S.E - DIGEST**

(AS OF SENATE 2ND READING 3/17/99)

Declares that a person commits a "wrongful act" under this act if each of the following occurs: (1) The person: (a) makes a false representation of a material, existing fact; (b) knows that the representation is false or has a reckless disregard to its truth; and (c) intends that the representation should be acted on by the person to whom it is made; and

(2) the person to whom the representation is made: (a) is ignorant of the falsity of the representation; (b) justifiably relies on the truth of the representation; and (c) incurs consequent damages.

Provides that a person who commits a wrongful act against a governmental entity is liable to the governmental entity for: (1) A civil penalty of not less than five thousand dollars and not more than ten thousand dollars; and

(2) an amount equal to three times the damages sustained by the governmental entity as a result of the wrongful act.