

5439

Sponsor(s): Senators Kline, Heavey, Roach and Costa

Brief Description: Enacting the Washington state false claims act.

SB 5439 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Declares that a person commits a "wrongful act" under this act if that person: (1) Knowingly presents or causes to be presented to a governmental entity a false claim for payment or approval;

(2) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false claim paid or approved;

(3) conspires to get a false claim allowed or paid;

(4) has possession, custody, or control of property or money used, or to be used, by a governmental entity and knowingly delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;

(5) is authorized to make or deliver a document certifying receipt of property used, or to be used, by a governmental entity and makes or delivers the receipt knowing that material information on the receipt is false;

(6) knowingly buys, or receives as security for an obligation or debt, public property from an officer or employee of a governmental entity, who lawfully may not sell or pledge the property; or

(7) knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit property to a governmental entity.

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;

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

(3) all costs incurred by the governmental entity in maintaining a civil action hereunder, including attorneys' fees.