

SHB 1949 - H AMD

By Representative Carrell

1 On page 1, line 15, after "protected." insert "The legislature
2 also recognizes that there are instances where false allegations of
3 abuse are made. Because false allegations significantly harm the
4 innocent party's professional and personal reputation and
5 relationships and undermine the system designed to protect victims,
6 the legislature finds it necessary to deter false allegations,
7 especially when raised for the purposes of receiving temporary
8 financial assistance in protection order hearings."

9 On page 3, line 13, after "maintenance" insert ". If the court
10 finds by a preponderance of the evidence that the petitioner
11 intentionally made false allegations of domestic violence or has
12 induced another person to make false allegations of domestic
13 violence for the purpose of receiving temporary financial
14 assistance under this section, the court may impose a monetary
15 penalty not to exceed one thousand dollars against the person
16 making or inducing another to make the false allegation. The
17 monetary penalty shall be awarded to the person against whom the
18 false allegation is made. The court may also order the person to
19 pay reasonable attorneys' fees if the person entitled to the
20 monetary penalty incurs attorneys' fees to defend the false
21 allegations or to recover the monetary penalty imposed under this
22 subsection. The award may be enforced in the same manner as other
23 civil judgments. For the purposes of this subsection, "person"
24 means any witness, party, or an attorney for any party. The remedy
25 provided in this subsection is in addition to any other penalty
26 provided in law"

EFFECT: Adds intent language regarding false allegations of domestic violence; Allows the court to impose a monetary penalty up to \$1,000 and attorneys' fees against a person making false allegations or inducing another to make a false allegation for the purpose of receiving temporary financial assistance.