

Terrorism—Civil Actions, Related Crimes, Civil Forfeiture; HB 2463

HB 2463 establishes a specific civil cause of action for a person injured as a result of conduct that would constitute the crime of terrorism or the crime of furtherance of terrorism or illegal use of weapons of mass destruction, against the person who engaged in such conduct. A prevailing plaintiff is entitled to recover the greater of \$10,000 or three times the actual damages the plaintiff sustained, as well as costs and reasonable attorney's fees. The statute of limitations for the cause of action is five years after the later of the date of discovery of the conduct or the conclusion of a related criminal case. The victim may request the Attorney General to pursue such a case on the victim's behalf, with damages to go to the victim and reasonable attorney's fees and costs to go to the Attorney General. The State shall be subrogated to a plaintiff's rights if the plaintiff has received compensation from the Crime Victims Compensation Board.

The bill amends the statute defining the crime of furtherance of terrorism or illegal use of weapons of mass destruction to include raising, soliciting, collecting, or providing material support or resources with the intent that they will be used to plan, prepare, carry out, or aid in the crime of terrorism or the crime of illegal use of weapons of mass destruction, the hindering of the prosecution of these crimes, or the concealment of or escape from any of these crimes. The bill defines "hindering of the prosecution of terrorism."

The crimes of terrorism and illegal use of weapons of mass destruction are added to the civil forfeiture statute.

(Note: The bill appears to add certain sex offenses to the civil forfeiture statute, but these provisions were already in law and the apparent amendments reconcile conflicting versions of the statute.)