

2 **HB 1395** - S AMD - 000844

3 By Senator Erwin

4 WITHDRAWN 4/16/93

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 26.04.160 and 1985 c 82 s 2 are each amended to read  
8 as follows:

9 (1) Application for ((such)) a marriage license must be made and  
10 filed with the appropriate county auditor upon blanks to be provided by  
11 the county auditor for that purpose, which application shall be under  
12 the oath of each of the applicants, and each application shall state  
13 the name, address at the time of execution of application, age,  
14 birthplace, whether single, widowed or divorced, and whether under  
15 control of a guardian, residence during the past six months: PROVIDED,  
16 That each county may require such other and further information on said  
17 application as it shall deem necessary.

18 (2) The county legislative authority may impose an additional fee  
19 up to one dollar on a marriage license for the purpose of funding  
20 family services such as family support centers.

21 **Sec. 2.** RCW 36.18.020 and 1992 c 54 s 1 are each amended to read  
22 as follows:

23 Clerks of superior courts shall collect the following fees for  
24 their official services:

25 (1) The party filing the first or initial paper in any civil  
26 action, including an action for restitution, or change of name, shall  
27 pay, at the time said paper is filed, a fee of one hundred ten dollars  
28 except in proceedings filed under RCW 26.50.030 or 49.60.227 where the  
29 petitioner shall pay a filing fee of twenty dollars, or an unlawful  
30 detainer action under chapter 59.18 or 59.20 RCW where the plaintiff  
31 shall pay a filing fee of thirty dollars. If the defendant serves or  
32 files an answer to an unlawful detainer complaint under chapter 59.18  
33 or 59.20 RCW, the plaintiff shall pay, prior to proceeding with the  
34 unlawful detainer action, an additional eighty dollars which shall be  
35 considered part of the filing fee. The thirty dollar filing fee under

1 this subsection for an unlawful detainer action shall not include an  
2 order to show cause or any other order or judgment except a default  
3 order or default judgment in an unlawful detainer action. The county  
4 legislative authority may impose an additional fee up to twenty dollars  
5 on any petition for dissolution of marriage, legal separation, or a  
6 declaration concerning the validity of a marriage, for the purpose of  
7 funding family services such as family support centers.

8 (2) Any party, except a defendant in a criminal case, filing the  
9 first or initial paper on an appeal from a court of limited  
10 jurisdiction or any party on any civil appeal, shall pay, when said  
11 paper is filed, a fee of one hundred ten dollars.

12 (3) The party filing a transcript or abstract of judgment or  
13 verdict from a United States court held in this state, or from the  
14 superior court of another county or from a district court in the county  
15 of issuance, shall pay at the time of filing, a fee of fifteen dollars.

16 (4) For the filing of a tax warrant by the department of revenue of  
17 the state of Washington, a fee of five dollars shall be paid.

18 (5) For the filing of a petition for modification of a decree of  
19 dissolution, a fee of twenty dollars shall be paid.

20 (6) The party filing a demand for jury of six in a civil action,  
21 shall pay, at the time of filing, a fee of fifty dollars; if the demand  
22 is for a jury of twelve the fee shall be one hundred dollars. If,  
23 after the party files a demand for a jury of six and pays the required  
24 fee, any other party to the action requests a jury of twelve, an  
25 additional fifty-dollar fee will be required of the party demanding the  
26 increased number of jurors.

27 (7) For filing any paper, not related to or a part of any  
28 proceeding, civil or criminal, or any probate matter, required or  
29 permitted to be filed in the clerk's office for which no other charge  
30 is provided by law, or for filing a petition, written agreement, or  
31 memorandum as provided in RCW 11.96.170, the clerk shall collect two  
32 dollars.

33 (8) For preparing, transcribing or certifying any instrument on  
34 file or of record in the clerk's office, with or without seal, for the  
35 first page or portion thereof, a fee of two dollars, and for each  
36 additional page or portion thereof, a fee of one dollar. For  
37 authenticating or exemplifying any instrument, a fee of one dollar for  
38 each additional seal affixed.

1 (9) For executing a certificate, with or without a seal, a fee of  
2 two dollars shall be charged.

3 (10) For each garnishee defendant named in an affidavit for  
4 garnishment and for each writ of attachment, a fee of five dollars  
5 shall be charged.

6 (11) For approving a bond, including justification thereon, in  
7 other than civil actions and probate proceedings, a fee of two dollars  
8 shall be charged.

9 (12) In probate proceedings, the party instituting such  
10 proceedings, shall pay at the time of filing the first paper therein,  
11 a fee of one hundred ten dollars: PROVIDED, HOWEVER, A fee of two  
12 dollars shall be charged for filing a will only, when no probate of the  
13 will is contemplated. Except as provided for in subsection (13) of  
14 this section a fee of two dollars shall be charged for filing a  
15 petition, written agreement, or memorandum as provided in RCW  
16 11.96.170.

17 (13) For filing any petition to contest a will admitted to probate  
18 or a petition to admit a will which has been rejected, or a petition  
19 objecting to a written agreement or memorandum as provided in RCW  
20 11.96.170, there shall be paid a fee of one hundred ten dollars.

21 (14) For the issuance of each certificate of qualification and each  
22 certified copy of letters of administration, letters testamentary or  
23 letters of guardianship there shall be a fee of two dollars.

24 (15) For the preparation of a passport application there shall be  
25 a fee of four dollars.

26 (16) For searching records for which a written report is issued  
27 there shall be a fee of eight dollars per hour.

28 (17) Upon conviction or plea of guilty, upon failure to prosecute  
29 an appeal from a court of limited jurisdiction as provided by law, or  
30 upon affirmance of a conviction by a court of limited jurisdiction, a  
31 defendant in a criminal case shall be liable for a fee of one hundred  
32 ten dollars.

33 (18) With the exception of demands for jury hereafter made and  
34 garnishments hereafter issued, civil actions and probate proceedings  
35 filed prior to midnight, July 1, 1972, shall be completed and governed  
36 by the fee schedule in effect as of January 1, 1972: PROVIDED, That no  
37 fee shall be assessed if an order of dismissal on the clerk's record be  
38 filed as provided by rule of the supreme court.

1 (19) No fee shall be collected when a petition for relinquishment  
2 of parental rights is filed pursuant to RCW 26.33.080 or for forms and  
3 instructional brochures provided under RCW 26.50.030.

4 **Sec. 3.** RCW 43.08.250 and 1992 c 54 s 3 are each amended to read  
5 as follows:

6 The money received by the state treasurer from fees, fines,  
7 forfeitures, penalties, reimbursements or assessments by any court  
8 organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be  
9 deposited in the public safety and education account which is hereby  
10 created in the state treasury. The legislature shall appropriate the  
11 funds in the account to promote traffic safety education, highway  
12 safety, criminal justice training, crime victims' compensation,  
13 judicial education, the judicial information system, civil  
14 representation of indigent persons, family support centers, winter  
15 recreation parking, and state game programs. During the fiscal  
16 biennium ending June 30, 1993, the legislature may appropriate moneys  
17 from the public safety and education account for the purposes of local  
18 jail population data collection under RCW 10.98.130, the department of  
19 corrections' county partnership program under RCW 72.09.300, the  
20 treatment alternatives to street crimes program, the criminal  
21 litigation unit of the attorney general's office, and contracts with  
22 county officials to provide support enforcement services."

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25  
26 On page 1, line 2 of the title, after "services;" strike the  
27 remainder of the title and insert "and amending RCW 26.04.160,  
28 36.18.020, and 43.08.250."

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