

**SENATE BILL REPORT**

**SSB 5068**

**AS PASSED SENATE, MARCH 13, 1993**

**Brief Description:** Changing the homestead exemption.

**SPONSORS:** Senate Committee on Law & Justice (originally sponsored by Senators A. Smith, McCaslin, Nelson, Erwin, Vognild and Roach)

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 5068 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Niemi, and Spanel.

**Staff:** Alan Caplan (786-7465)

**Hearing Dates:** January 19, 1993; February 4, 1993

**BACKGROUND:**

A creditor who obtains a judgment against a delinquent debtor often can force the debtor to sell property to repay his or her obligations.

The "homestead exemption" protects from forced sale the house or mobile home where the debtor resides or intends to reside, along with appurtenant buildings and related land. The exemption generally is limited to the lesser of (i) \$30,000 and (ii) the value of the lands, mobile home and improvements.

Because some Washington citizens reside on their boats or in their cars or vans, it has been recommended that the homestead exemption's scope be expanded to include any personal or real property that the owner uses as a residence.

**SUMMARY:**

The definition of "homestead" is expanded to include any real or personal property that the owner uses as a residence. The homestead exemption may not be asserted against certain liens arising in connection with the property claimed as a homestead.

The amount of the homestead exemption in personal property is limited to the lesser of (1) the net value of the personal property claimed as a homestead; and (2) \$15,000.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

People who live on boats or in cars or motor homes should be entitled to a homestead exemption.

**TESTIMONY AGAINST:**

The monetary limit for homestead exemptions in personal property should be less than the limit for homestead exemptions in real property.

**TESTIFIED:** Susan Stanley, Washington State Bar Association (pro);  
Lew McMurrin, Household International