

**SENATE BILL REPORT**

**SB 6045**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, JANUARY 18, 1994**

**Brief Description:** Authorizing an additional ten years for execution of judgments.

**SPONSORS:** Senators A. Smith, Nelson and Haugen

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 6045 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Quigley, Roach, Schow and Spanel.

**Staff:** Martin Lovinger (786-7443)

**Hearing Dates:** January 18, 1994

**BACKGROUND:**

Under current law a person who has obtained a judgment in a court of record in this state may enforce that judgment for ten years after the date the judgment was entered. There are times when the person who won the judgment is unable to collect the amount owed within ten years. For example, a debtor may be paying the judgment, but does not earn enough to pay the amount owed within the ten-year period. In other cases debtors move away, but return after the enforcement period has passed.

At least 21 states have adopted a period greater than ten years in which judgments can be enforced. Five other states have adopted a system in which a judgment can be renewed, for a total enforcement period greater than ten years.

Court filing fees are divided between the local jurisdiction and the State Treasurer, where they are deposited in the public safety and education account.

**SUMMARY:**

A party who has been awarded a judgment may apply within 90 days before the original ten-year enforcement period expires for an additional ten-year extension. The party seeking an extension must pay the court a filing fee equal to that for filing a complaint in a civil action.

**EFFECT OF PROPOSED SUBSTITUTE:**

The party seeking the extension must pay a fee equal to half the filing fee for a civil complaint.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** requested January 11, 1994

**TESTIMONY FOR:**

Over half the other states have a longer enforcement period than ten years. Some debtors move out of state where they cannot be reached for collections, but may relocate back at a later date. Just because a debtor has been able to duck collection for ten years does not justify letting the debtor off the hook.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Kevin Underwood, Allied Collectors (pro); Mark Gjurasic, WA State Collectors Assn. (pro)