

2 **2SSB 5375** - S AMD - 093

3 By Senators Schow, Zarelli, Morton and Johnson

4 ADOPTED, RECONSIDERED; AMEND FAILED ON RECONSIDERATION - RC VOTE 22-27

5 On page 2, beginning on line 1, strike all of sections 1 through 43
6 on page 30, and insert the following:

7 "Sec. 1. RCW 7.21.030 and 1989 c 373 s 3 are each amended to read
8 as follows:

9 (1) The court may initiate a proceeding to impose a remedial
10 sanction on its own motion or on the motion of a person aggrieved by a
11 contempt of court in the proceeding to which the contempt is related.
12 Except as provided in RCW 7.21.050, the court, after notice and
13 hearing, may impose a remedial sanction authorized by this chapter.

14 (2) If the court finds that the person has failed or refused to
15 perform an act that is yet within the person's power to perform, the
16 court may find the person in contempt of court and impose one or more
17 of the following remedial sanctions:

18 (a) Imprisonment if the contempt of court is of a type defined in
19 RCW 7.21.010(1) (b) through (d). The imprisonment may extend only so
20 long as it serves a coercive purpose.

21 (b) A forfeiture not to exceed two thousand dollars for each day
22 the contempt of court continues.

23 (c) An order designed to ensure compliance with a prior order of
24 the court.

25 (d) Any other remedial sanction other than the sanctions specified
26 in (a) through (c) of this subsection if the court expressly finds that
27 those sanctions would be ineffectual to terminate a continuing contempt
28 of court.

29 (e) An order suspending a driver's license for willful
30 noncompliance with a child support order.

31 (3) The court may, in addition to the remedial sanctions set forth
32 in subsection (2) of this section, order a person found in contempt of
33 court to pay a party for any losses suffered by the party as a result
34 of the contempt and any costs incurred in connection with the contempt
35 proceeding, including reasonable attorney's fees."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

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5 On page 1, beginning on line 2 of the title, after "RCW" strike all
6 material through "sections" on line 19, and insert "7.21.030"

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