

SENATE BILL REPORT

SB 5175

As Reported By Senate Committee On:
Judiciary, February 6, 2001

Title: An act relating to enforcement of court-ordered restitution obligations.

Brief Description: Providing procedures for enforcement of court-ordered restitution obligations in courts of limited jurisdiction.

Sponsors: Senators Kline, Long, Roach, Fairley, Patterson, Constantine and Kohl-Welles.

Brief History:

Committee Activity: Judiciary: 1/25/01, 2/6/01 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5175 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Johnson, Kastama, Long, McCaslin, Roach, Thibaudeau and Zarelli.

Staff: Aldo Melchiori (786-7439)

Background: Restitution obligations, ordered as a result of conviction for a criminal offense in superior court, may be enforced in the same manner as civil judgments. These obligations may be enforced at any time during the ten-year period following the offender's release from confinement or within ten years of entry of the judgment, whichever is longer. The superior court may extend the judgment an additional ten years. The victim may utilize any other remedies available to collect the restitution. In the case of criminal convictions in courts of limited jurisdiction, orders establishing restitution are taken to the superior court for enforcement.

Summary of Substitute Bill: Restitution obligations, ordered as a result of conviction for a criminal offense in a court of limited jurisdiction, may be enforced in the same manner as civil judgments without the extra step of taking the order to superior court. The enforcement procedure is the same as in superior court. The court's authority to determine whether an offender has violated a condition of the sentence or impose a sanction for not paying a legal financial obligation is not affected. Liens on real property entered pursuant to a district court judgment are filed, and satisfaction of the liens are entered in the same manner as, and for all intents and purposes, become judgments of the superior court.

Substitute Bill Compared to Original Bill: The process for filing and entering the satisfaction of a lien on real property for enforcement of a district court judgement is provided.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.