
SUBSTITUTE SENATE BILL 5168

State of Washington 58th Legislature 2003 Regular Session

**By Senate Committee on Children & Family Services & Corrections
(originally sponsored by Senator Hargrove)**

READ FIRST TIME 02/12/03.

1 AN ACT Relating to interest on legal financial obligations; and
2 amending RCW 10.82.090.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 10.82.090 and 1995 c 291 s 7 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (2) of this section, financial
7 obligations imposed in a judgment shall bear interest from the date of
8 the judgment until payment, at the rate applicable to civil judgments.
9 All nonrestitution interest retained by the court shall be split
10 twenty-five percent to the state treasurer for deposit in the public
11 safety and education account as provided in RCW 43.08.250, twenty-five
12 percent to the state treasurer for deposit in the judicial information
13 system account as provided in RCW 2.68.020, twenty-five percent to the
14 county current expense fund, and twenty-five percent to the county
15 current expense fund to fund local courts.

16 (2) The court may, on motion by the offender, following the
17 offender's release from total confinement, reduce or waive the interest
18 on legal financial obligations levied as a result of a criminal
19 conviction. The court may reduce or waive the interest only as an

1 incentive for the offender to meet his or her legal financial
2 obligations. The court may not waive the interest on the restitution
3 portion of the legal financial obligation and may only reduce the
4 interest on the restitution portion of the legal financial obligation
5 if the principal of the restitution has been paid in full. The
6 offender must show that he or she has personally made a good faith
7 effort to pay, that the interest accrual is causing a significant
8 hardship, and that he or she will be unable to pay the principal and
9 interest in full and that reduction or waiver of the interest will
10 likely enable the offender to pay the full principal and any remaining
11 interest thereon. For purposes of this section, "good faith effort"
12 means that the offender has either (a) paid the principal amount in
13 full; or (b) made twenty-four consecutive monthly payments, excluding
14 any payments mandatorily deducted by the department of corrections, on
15 his or her legal financial obligations under his or her payment
16 agreement with the court. The court may grant the motion, establish a
17 payment schedule, and retain jurisdiction over the offender for
18 purposes of reviewing and revising the reduction or waiver of interest.
19 This section applies to persons convicted as adults or in juvenile
20 court.

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