
SENATE BILL 5168

State of Washington

58th Legislature

2003 Regular Session

By Senator Hargrove

Read first time 01/17/2003. Referred to Committee on Children & Family Services & Corrections.

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

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