
**Juvenile Justice & Family Law
Committee**

HB 1314

Brief Description: Creating the domestic violence prevention account.

Sponsors: Representatives Dickerson, Darneille, Upthegrove, Lovick, Lantz, Simpson, Morrell, Williams, Conway, Roberts, Moeller, Kenney, Wood, Kagi, McDermott, Santos, Chase and Ormsby.

Brief Summary of Bill

- Requires county auditors to collect an additional \$10.00 for marriage licenses, which shall be deposited in a domestic violence prevention account and used for community-based services for domestic violence victims.
- Requires superior court clerks to collect an additional \$10.00 for the initial petition for dissolution, legal separation, or declaration concerning the validity of marriage, which shall be deposited in a domestic violence prevention account and used for community-based services for domestic violence victims.

Hearing Date: 2/4/05

Staff: Kara Durbin (786-7133).

Background:

Marriage license fees:

Marriage license fees in Washington are established by statute. The statute requires the county auditor to collect the following fees for issuing marriage licenses:

- a) \$8.00 (retained by the county for processing marriage licenses);
- b) \$5.00 (transmitted to the state treasurer for use and support of the prevention of child abuse and neglect); and
- c) \$10.00 (transmitted to the state treasurer for the Displaced Homemaker Act).

In addition, if approved by the county legislative body, the auditor may impose the following additional fees for issuing a marriage license:

- a) A fee not to exceed \$15.00 (for funding family services, such as family support centers); and

b) A fee not to exceed \$8.00 (for family court services).

County auditors must impose various fees when recording any instrument (not just marriage licenses). County auditors are required to impose the following surcharges:

- a) \$2.00 per instrument for each document recorded (for the auditor's centennial document preservation and modernization account to be used solely for ongoing preservation of historical documents of county offices);
- b) \$1.00 per instrument for each document recorded (for the local government archives account); and
- c) \$1.00 per instrument for each document recorded (for the construction and improvement of a specialized regional facility in eastern Washington for archives and records).

Because some of the fees are optional, not all counties charge the same amount for marriage licenses. The fees range from \$27.00 to \$57.00.

In 2002, there were 39,518 marriages in the state.

Dissolution Fees:

Filing fees in Washington for a petition for dissolution, legal separation, or declaration concerning the validity of marriage are established by statute. The statute requires the superior court clerk to collect a \$110.00 fee from the petitioner for the initial filing. In addition, in counties that provide a courthouse facilitator program, the filing fee may be as high as \$120.00. The filing fee may be waived upon showing financial hardship.

In 2002, there were approximately 28,023 petitions for dissolution, legal separation, or declaration concerning the validity of marriage.

Domestic Violence Services:

The Department of Social and Health Services administers funds appropriated from the general fund and the Public Safety and Education Account for domestic violence services.

Summary of Bill:

County auditors must collect an additional \$10.00 for marriage licenses, to be deposited in a domestic violence prevention account in the custody of the state treasury.

Superior court clerks must collect an additional \$10.00 from any party filing a petition for dissolution, legal separation, or declaration of invalidity. The clerk must transmit the fees monthly to be deposited in a domestic violence prevention account in the custody of the state treasury.

The revenue collected from the additional fees must be used to fund preventative, community-based services for domestic violence victims. The Department of Social and Health Services administers the funds and may establish minimum standards for community-based services receiving the funds.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.