

SENATE BILL REPORT

SB 6670

As Reported By Senate Committee On:
Judiciary, February 2, 2006

Title: An act relating to court filing fees.

Brief Description: Changing court filing fee provisions.

Sponsors: Senators Shin, Delvin, Fraser, Hargrove and Johnson.

Brief History:

Committee Activity: Judiciary: 2/1/06, 2/2/06 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6670 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Esser, Hargrove, Rasmussen and Thibaudeau.

Staff: Aldo Melchiori (786-7439)

Background: Court filing fees for unlawful detainer actions are subject to division with the state for deposit in the public safety and education account. The initial filing fee in an unlawful detainer action is \$45. The plaintiff must pay an additional \$112 if the defendant files an answer to the unlawful detainer. A fee of \$5 is charged for certification of delinquent taxes by a county treasurer.

A \$36 fee is charged for filing a petition for modification of a decree of dissolution or paternity if it is within the same case as the original action. This fee is not subject to division with the state.

Money judgments in criminal cases are valid for ten years and may be extended for one additional ten year period, but for offenses committed after July 2000, there is no limit on how many times the judgment may be extended. There is a \$200 fee for the issuance of an extension of judgment. This fee is not subject to division with the state.

The fee for filing a petition for unlawful harassment is \$53. The fee is subject to division with the state for deposit in the public safety and education account and the law library fund.

Summary of Substitute Bill: The bill contains a number of technical amendments to provide consistency with filing fee changes made by the Legislature in 2005.

Any party filing a counterclaim, cross-claim, or third-party claim in an unlawful detainer action must pay a filing fee of \$157. This filing fee is subject to division with the state for deposit in the public safety and education account. The \$5 fee for certification of delinquent taxes is eliminated.

A \$36 fee is charged for filing counterclaim, cross-claim, or third-party claim to a petition for modification of a decree of dissolution or paternity. This fee is not subject to division with the state. When the county clerk requests an extension of judgment in a criminal case, the \$200 fee may be imposed as a cost to be paid by the offender.

Substitute Bill Compared to Original Bill: The provision regarding the \$53 fee imposed for filing a counterclaim, cross-claim, or third-party claim in an unlawful harassment action is eliminated because they are not allowed by the court.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill just corrects the inconsistencies that resulted from legislation passed in 2005. No new fees are actually imposed.

Testimony Against: None.

Who Testified: PRO: Senator Shin, prime sponsor; Barbara Miner, Washington Association of County Clerks; Pam Daniels, Washington Association of County Clerks.