

# SENATE BILL REPORT

## SHB 1615

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As of February 15, 2012

**Title:** An act relating to service members' civil relief.

**Brief Description:** Concerning service members' civil relief.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives Ladenburg, Kelley, Rodne, Moscoso, Kirby, Appleton and Stanford).

**Brief History:** Passed House: 2/26/11, 97-0; 1/16/12, 91-0.

**Committee Activity:** Judiciary: 3/08/11, 3/09/11 [DP]; 2/15/12.

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug, Ranking Minority Member; Baxter, Carrell, Hargrove, Kohl-Welles, Regala and Roach.

**Staff:** Juliana Roe (786-7438)

**Background:** Under current law, military service means a service member under a call to active service authorized by the President of the United States or the Secretary of Defense for a period of more than 30 consecutive days. Military service members and their dependents are provided protection against default judgments, judgments given as a result of the defendant's failure to appear.

**Summary of Bill:** Military service includes National Guard members under a call to service authorized by the Governor for a period of more than 30 consecutive days. Protection against default judgments is provided to service members, their dependents, and National Guard members under a call to active service authorized by the Governor of the state of Washington.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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

**Staff Summary of Public Testimony:** PRO: This bill allows National Guard Members to have their day in court. It provides equal protection to our National Guard and reservists. These are the same protections that currently apply to active duty military at the state and federal level. We are closing the gap with this bill.

**Persons Testifying:** PRO: Representative Ladenburg, prime sponsor; Kathryn Leathers, WSBA.