

SENATE BILL REPORT

SB 5627

As Reported by Senate Committee On:
Judiciary, February 18, 2011

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

Brief Description: Concerning service members' civil relief.

Sponsors: Senators Hobbs, Murray, Kilmer and Shin; by request of Washington State Bar Association.

Brief History:

Committee Activity: Judiciary: 2/16/11, 2/18/11 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5627 be substituted therefor, and the substitute bill 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 (Recommended Substitute): 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.

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.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Substitute): A technical change is made with regard to terminology, i.e. changes the word person to service member.

The word emergency is removed so that service members and National Guard members under a call to service for a 30-day period are protected against default judgments even if the call is not for emergency service.

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.

Staff Summary of Public Testimony on Original Bill: PRO: This bill clears up oversights in the current statute. It includes National Guard members as those who can be protected against default judgments while they are away on active service.

Persons Testifying: PRO: Ken Luce, WSBA; Ted Wicorek, Veteran's Legislative Coalition.