

---

HOUSE BILL 2720

---

State of Washington                      65th Legislature                      2018 Regular Session

By Representatives Orwall, Tarleton, Valdez, Frame, Ortiz-Self,  
Stanford, and Pollet

Read first time 01/12/18. Referred to Committee on Higher Education.

1            AN ACT Relating to student opportunity, assistance, and relief  
2 for student loans; amending RCW 67.08.100, 4.56.110, 6.01.060,  
3 6.15.010, 6.27.100, 6.27.105, 6.27.140, and 6.27.150; creating new  
4 sections; and repealing RCW 2.48.165, 18.04.420, 18.08.470,  
5 18.11.270, 18.16.230, 18.20.200, 18.27.360, 18.39.465, 18.43.160,  
6 18.46.055, 18.76.100, 18.85.341, 18.96.190, 18.104.115, 18.106.290,  
7 18.130.125, 18.140.200, 18.145.125, 18.160.085, 18.165.280,  
8 18.170.163, 18.180.050, 18.185.055, and 28A.410.105.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10            NEW SECTION.    **Sec. 1.**    The legislature finds that an educated  
11 workforce is essential for the state's economic development. By 2020  
12 seventy percent of available jobs in Washington will require at least  
13 a postsecondary credential. According to the 2015 A Skilled and  
14 Educated Workforce report, bachelor degree production in high-demand  
15 fields, such as science, technology, engineering, mathematics, and  
16 health, does not meet the demand of Washington's employers. The state  
17 has also set educational attainment goals to recognize the need and  
18 benefits of an educated workforce. College degree holders have higher  
19 incomes, better financial health, and are more likely to be  
20 homeowners than those who do not have college degrees. In fact, young

1 adults aged twenty-two to thirty-five with a college degree are fifty  
2 percent more likely to own a home than those without a degree.

3 However, the legislature finds that the cost of higher education  
4 has risen dramatically in recent years. Between 2003 and 2013, the  
5 price index of tuition rose eighty percent, three times the increase  
6 in the consumer price index and nearly double the increase in the  
7 medical price index over the same period. The legislature also finds  
8 that students are financing their education with more student loan  
9 debt. According to the institute for college access and success'  
10 project on student debt, in 2014 fifty-eight percent of recent  
11 graduates in Washington had debt, and the average federal student  
12 loan debt load for a student graduating from a four-year public or  
13 private institution of higher education was twenty-four thousand  
14 eight hundred dollars. This is an increase of forty-two percent since  
15 2004, when the average debt load was seventeen thousand four hundred  
16 dollars. These averages do not take into account additional private  
17 loans that many students take out to supplement their federal loans.

18 Student loan debt can greatly impact the economic benefits of  
19 earning a college degree. Surveys indicate that people burdened by  
20 student loan debt are less likely to buy a home; get married and  
21 start a family; start a small business; pursue lower paying  
22 professions such as teaching, nonprofit work, or social work; or even  
23 continue their education. The legislature finds that these decisions  
24 create a chain reaction of economic and social impact to the state.

25 The legislature recognizes that student loan debt is very  
26 different from other forms of debt, such as auto loans and home  
27 mortgages, for a variety of reasons. With most debt, borrowers know  
28 beforehand how much their monthly payment will be. However, student  
29 loans are more complicated because a student may borrow different  
30 amounts term to term and make decisions on an incremental basis as  
31 their financial aid packages, work, and living situations change. In  
32 addition, student loans may have origination fees, accumulated and  
33 capitalized interest, grace and forbearance periods, and income-based  
34 repayment options that all change the monthly payment amount. The  
35 legislature recognizes that another major difference with student  
36 loan debt is the unknown factor: Students take out the debt without  
37 having a clear idea of their future income and other financial  
38 obligations. Lastly, if a student has trouble repaying a student  
39 loan, the loans are not secured with physical property that can be

1 sold, and in the event of bankruptcy, are nearly impossible to  
2 discharge.

3 According to the United States department of education,  
4 Washington students are defaulting on their federal student loans at  
5 roughly the same rate as the national average. For the cohort that  
6 entered into repayment on their federal student loans in 2013, ten  
7 percent, or seven thousand seven hundred forty-six students, fell  
8 into default during the fiscal year ending September 30, 2016, just  
9 under the national average of eleven percent.

10 The consequences of default can haunt student loan borrowers for  
11 years unless they are able to rehabilitate their loans. These  
12 consequences may include suspension of the borrower's professional  
13 license; excessive contact from collection agencies; garnishment of  
14 wages and bank accounts; as well as seizing of the borrower's tax  
15 refund and other federal payments, such as social security retirement  
16 and disability benefits. Defaulting on a student loan damages a  
17 borrower's credit, making it difficult to qualify for a mortgage or  
18 auto loan, rent an apartment, and even find employment, closing  
19 people off from the resources they need for financial stability.

20 The legislature acknowledges that the state currently allows  
21 regulators of twenty-six professions to suspend the professional  
22 licenses or certificates of student loan borrowers who have defaulted  
23 on their loans. In 2015 the department of licensing reported one  
24 hundred ten license suspensions for student loan default within the  
25 eleven professions it regulates, most of which were in the field of  
26 cosmetology. Twenty-one states have similar laws, but recently some  
27 states have repealed their laws or introduced legislation to do so,  
28 recognizing that license suspension hinders a borrower's ability to  
29 repay. It is the legislature's intent to repeal the statutes  
30 regarding professional license or certificate suspension and intends  
31 for those who had their license or certificate suspended to be  
32 eligible to have their license or certificate reinstated.

33 The legislature also finds that Washington state has high  
34 postjudgment interest rates and generous wage and bank account  
35 garnishment rates that negatively impact private student loan  
36 borrowers who default. Studies indicate that wage and bank account  
37 garnishment contributes to financial and employment instability,  
38 unemployment, bankruptcy, homelessness, and chronic stress.  
39 Washington's high interest and garnishment rates also increase the  
40 courts' caseload by making it more attractive for lenders of private

1 student loans to sue a borrower in court and obtain a judgment than  
2 to negotiate an agreement or settlement with the borrower.

3 Washington state's postjudgment interest rate was set at twelve  
4 percent in 1980 when the prime interest rate was fifteen percent. The  
5 current prime interest rate stands at three and one-half percent. In  
6 addition, the state's current postjudgment rate on torts is around  
7 three percent.

8 Regarding wage garnishment, many states, such as Texas,  
9 Pennsylvania, and South Carolina do not allow for wage garnishment  
10 for consumer debt. For federal student loans, the department of  
11 education can garnish up to fifteen percent of a borrower's  
12 disposable income, but not more than thirty times the minimum wage.  
13 In Washington, a borrower can have twenty-five percent of his or her  
14 disposable earnings garnished, or thirty-five times the federal  
15 minimum wage. As for bank account exemptions, Massachusetts protects  
16 two thousand five hundred dollars from garnishment compared to  
17 Washington's current exemption of five hundred dollars. To put this  
18 figure into perspective, the average rent in the Seattle metropolitan  
19 area is two thousand eighty-seven dollars.

20 Therefore, it is the legislature's intent to help student loan  
21 borrowers in default avoid loss of professional license or  
22 certification, which hinders repayment. It is also the legislature's  
23 intent to help student loan borrowers in default to maintain  
24 financial stability and to avoid the hardships of bank account and  
25 wage garnishment by making the postjudgment interest rate for private  
26 student loan debt more comparable to the market rate and by  
27 increasing the exemptions for bank account and wage garnishments.

28 NEW SECTION. **Sec. 2.** The following acts or parts of acts are  
29 each repealed:

30 (1) RCW 2.48.165 (Disbarment or license suspension—Nonpayment or  
31 default on educational loan or scholarship) and 1996 c 293 s 1;

32 (2) RCW 18.04.420 (License or certificate suspension—Nonpayment  
33 or default on educational loan or scholarship) and 1996 c 293 s 2;

34 (3) RCW 18.08.470 (Certificate or registration suspension—  
35 Nonpayment or default on educational loan or scholarship) and 1996 c  
36 293 s 3;

1 (4) RCW 18.11.270 (License, certificate, or registration  
2 suspension—Nonpayment or default on educational loan or scholarship)  
3 and 1996 c 293 s 4;

4 (5) RCW 18.16.230 (License suspension—Nonpayment or default on  
5 educational loan or scholarship) and 1996 c 293 s 5;

6 (6) RCW 18.20.200 (License suspension—Nonpayment or default on  
7 educational loan or scholarship) and 1996 c 293 s 6;

8 (7) RCW 18.27.360 (Certificate of registration suspension—  
9 Nonpayment or default on educational loan or scholarship) and 1996 c  
10 293 s 7;

11 (8) RCW 18.39.465 (License suspension—Nonpayment or default on  
12 educational loan or scholarship) and 1996 c 293 s 9;

13 (9) RCW 18.43.160 (Certificate of registration or license  
14 suspension—Nonpayment or default on educational loan or scholarship)  
15 and 1996 c 293 s 10;

16 (10) RCW 18.46.055 (License suspension—Nonpayment or default on  
17 educational loan or scholarship) and 1996 c 293 s 12;

18 (11) RCW 18.76.100 (Certificate suspension—Nonpayment or default  
19 on educational loan or scholarship) and 1996 c 293 s 13;

20 (12) RCW 18.85.341 (License suspension—Nonpayment or default on  
21 educational loan or scholarship) and 2008 c 23 s 30 & 1996 c 293 s  
22 14;

23 (13) RCW 18.96.190 (Certificate of licensure suspension—  
24 Nonpayment or default on educational loan or scholarship) and 2009 c  
25 370 s 16 & 1996 c 293 s 15;

26 (14) RCW 18.104.115 (License suspension—Nonpayment or default on  
27 educational loan or scholarship) and 1996 c 293 s 16;

28 (15) RCW 18.106.290 (Certificate or permit suspension—Nonpayment  
29 or default on educational loan or scholarship) and 1996 c 293 s 17;

30 (16) RCW 18.130.125 (License suspension—Nonpayment or default on  
31 educational loan or scholarship) and 1996 c 293 s 18;

32 (17) RCW 18.140.200 (Certificate, license, or registration  
33 suspension—Nonpayment or default on educational loan or scholarship)  
34 and 2005 c 339 s 16 & 1996 c 293 s 19;

35 (18) RCW 18.145.125 (Certificate suspension—Nonpayment or default  
36 on educational loan or scholarship) and 1996 c 293 s 20;

37 (19) RCW 18.160.085 (Certificate suspension—Nonpayment or default  
38 on educational loan or scholarship) and 1996 c 293 s 21;

1 (20) RCW 18.165.280 (License or certificate suspension—Nonpayment  
2 or default on educational loan or scholarship) and 1996 c 293 s 22;

3 (21) RCW 18.170.163 (License or certificate suspension—Nonpayment  
4 or default on educational loan or scholarship) and 1996 c 293 s 23;

5 (22) RCW 18.180.050 (Registration suspension—Nonpayment or  
6 default on educational loan or scholarship) and 1996 c 293 s 25;

7 (23) RCW 18.185.055 (License suspension—Nonpayment or default on  
8 educational loan or scholarship) and 1996 c 293 s 26; and

9 (24) RCW 28A.410.105 (Certificate or permit suspension—Nonpayment  
10 or default on educational loan or scholarship) and 1996 c 293 s 27.

11 **Sec. 3.** RCW 67.08.100 and 2017 c 46 s 3 are each amended to read  
12 as follows:

13 (1) The department upon receipt of a properly completed  
14 application and payment of a nonrefundable fee, may grant an annual  
15 license to an applicant for the following: (a) Promoter; (b) manager;  
16 (c) boxer; (d) second; (e) wrestling participant; (f) inspector; (g)  
17 judge; (h) timekeeper; (i) announcer; (j) event physician; (k) event  
18 chiropractor; (l) referee; (m) matchmaker; (n) kickboxer; (o) martial  
19 arts participant; (p) training facility; (q) amateur sanctioning  
20 organization; and (r) theatrical wrestling school.

21 (2) The application for the following types of licenses includes  
22 a physical performed by a physician, as defined in RCW 67.08.002,  
23 which was performed by the physician with a time period preceding the  
24 application as specified by rule: (a) Boxer; (b) wrestling  
25 participant; (c) kickboxer; (d) martial arts participant; and (e)  
26 referee.

27 (3) An applicant for the following types of licenses for the  
28 sports of boxing, kickboxing, and martial arts must provide annual  
29 proof of certification as having adequate experience, skill, and  
30 training from an organization approved by the department, including,  
31 but not limited to, the association of boxing commissions, the  
32 international boxing federation, the international boxing  
33 organization, the Washington state association of professional ring  
34 officials, the world boxing association, the world boxing council, or  
35 the world boxing organization for boxing officials, and the united  
36 full contact federation for kickboxing and martial arts officials:  
37 (a) Judge; (b) referee; (c) inspector; (d) timekeeper; or (e) other  
38 officials deemed necessary by the department.

1 (4) No person may participate or serve in any of the above  
2 capacities unless licensed as provided in this chapter.

3 (5) The referees, judges, timekeepers, event physicians,  
4 chiropractors, and inspectors for any boxing, kickboxing, or martial  
5 arts event must be designated by the department from among licensed  
6 officials.

7 (6) The referee for any wrestling event must be provided by the  
8 promoter and must be licensed as a wrestling participant.

9 (7) The department must immediately suspend the license or  
10 certificate of a person who has been certified pursuant to RCW  
11 74.20A.320 by the department of social and health services as a  
12 person who is not in compliance with a support order. If the person  
13 has continued to meet all other requirements for reinstatement during  
14 the suspension, reissuance of the license or certificate is automatic  
15 upon the department's receipt of a release issued by the department  
16 of social and health services stating that the licensee is in  
17 compliance with the order.

18 ~~(8) ((The director must suspend the license of any person who has  
19 been certified by a lending agency and reported to the director for  
20 nonpayment or default on a federally or state-guaranteed educational  
21 loan or service-conditional scholarship. Prior to the suspension, the  
22 agency must provide the person an opportunity for a brief  
23 adjudicative proceeding under RCW 34.05.485 through 34.05.494 and  
24 issue a finding of nonpayment or default on a federally or state-  
25 guaranteed educational loan or service-conditional scholarship. The  
26 person's license may not be reissued until the person provides the  
27 director a written release issued by the lending agency stating that  
28 the person is making payments on the loan in accordance with a  
29 repayment agreement approved by the lending agency. If the person has  
30 continued to meet all other requirements for licensure during the  
31 suspension, reinstatement is automatic upon receipt of the notice and  
32 payment of any reinstatement fee the director may impose.~~

33 ~~(9))~~ A person may not be issued a license if the person has an  
34 unpaid fine outstanding to the department.

35 ~~((10))~~ (9) A person may not be issued a license unless they are  
36 at least eighteen years of age.

37 ~~((11))~~ (10)(a) This section does not apply to:

38 (i) Contestants or participants in events at which only amateurs  
39 are engaged in contests;

1 (ii) Wrestling participants engaged in training or a wrestling  
2 show at a theatrical wrestling school; and

3 (iii) Fraternal organizations and/or veterans' organizations  
4 chartered by congress or the defense department, excluding any  
5 recognized amateur sanctioning body recognized by the department.

6 (b) Upon request of the department, a promoter, contestant, or  
7 participant must provide sufficient information to reasonably  
8 determine whether this chapter applies.

9 **Sec. 4.** RCW 4.56.110 and 2010 c 149 s 1 are each amended to read  
10 as follows:

11 Interest on judgments shall accrue as follows:

12 (1) Judgments founded on written contracts, providing for the  
13 payment of interest until paid at a specified rate, shall bear  
14 interest at the rate specified in the contracts: PROVIDED, That said  
15 interest rate is set forth in the judgment.

16 (2) All judgments for unpaid child support that have accrued  
17 under a superior court order or an order entered under the  
18 administrative procedure act shall bear interest at the rate of  
19 twelve percent.

20 (3)(a) Judgments founded on the tortious conduct of a "public  
21 agency" as defined in RCW 42.30.020 shall bear interest from the date  
22 of entry at two percentage points above the equivalent coupon issue  
23 yield, as published by the board of governors of the federal reserve  
24 system, of the average bill rate for twenty-six week treasury bills  
25 as determined at the first bill market auction conducted during the  
26 calendar month immediately preceding the date of entry. In any case  
27 where a court is directed on review to enter judgment on a verdict or  
28 in any case where a judgment entered on a verdict is wholly or partly  
29 affirmed on review, interest on the judgment or on that portion of  
30 the judgment affirmed shall date back to and shall accrue from the  
31 date the verdict was rendered.

32 (b) Except as provided in (a) of this subsection, judgments  
33 founded on the tortious conduct of individuals or other entities,  
34 whether acting in their personal or representative capacities, shall  
35 bear interest from the date of entry at two percentage points above  
36 the prime rate, as published by the board of governors of the federal  
37 reserve system on the first business day of the calendar month  
38 immediately preceding the date of entry. In any case where a court is  
39 directed on review to enter judgment on a verdict or in any case



1 where a judgment entered on a verdict is wholly or partly affirmed on  
2 review, interest on the judgment or on that portion of the judgment  
3 affirmed shall date back to and shall accrue from the date the  
4 verdict was rendered.

5 (4) Except as provided under subsection (1) of this section,  
6 judgments for unpaid private student loan debt, as defined in RCW  
7 6.01.060, shall bear interest from the date of entry at two  
8 percentage points above the prime rate, as published by the board of  
9 governors of the federal reserve system on the first business day of  
10 the calendar month immediately preceding the date of entry.

11 (5) Except as provided under subsections (1), (2), (~~and~~) (3),  
12 and (4) of this section, judgments shall bear interest from the date  
13 of entry at the maximum rate permitted under RCW 19.52.020 on the  
14 date of entry thereof. In any case where a court is directed on  
15 review to enter judgment on a verdict or in any case where a judgment  
16 entered on a verdict is wholly or partly affirmed on review, interest  
17 on the judgment or on that portion of the judgment affirmed shall  
18 date back to and shall accrue from the date the verdict was rendered.  
19 The method for determining an interest rate prescribed by this  
20 subsection is also the method for determining the "rate applicable to  
21 civil judgments" for purposes of RCW 10.82.090.

22 **Sec. 5.** RCW 6.01.060 and 1988 c 231 s 1 are each amended to read  
23 as follows:

24 ((The term "certified mail," as used in this title,)) The  
25 definitions in this section apply throughout this title unless the  
26 context clearly requires otherwise.

27 (1) "Certified mail" includes, for mailings to a foreign country,  
28 any form of mail that requires or permits a return receipt.

29 (2) "Private student loan" means any loan not guaranteed by the  
30 federal or state government that is used solely for personal use to  
31 finance postsecondary education and costs of attendance at an  
32 educational institution. A private student loan includes a loan made  
33 solely to refinance a private student loan. A private student loan  
34 does not include an extension of credit made under an open-end  
35 consumer credit plan, a reverse mortgage transaction, a residential  
36 mortgage transaction, or any other loan that is secured by real  
37 property or a dwelling.

1       **Sec. 6.** RCW 6.15.010 and 2012 c 117 s 2 are each amended to read  
2 as follows:

3       (1) Except as provided in RCW 6.15.050, the following personal  
4 property is exempt from execution, attachment, and garnishment:

5       (a) All wearing apparel of every individual and family, but not  
6 to exceed three thousand five hundred dollars in value in furs,  
7 jewelry, and personal ornaments for any individual.

8       (b) All private libraries including electronic media, which  
9 includes audiovisual, entertainment, or reference media in digital or  
10 analogue format, of every individual, but not to exceed three  
11 thousand five hundred dollars in value, and all family pictures and  
12 keepsakes.

13       (c) A cell phone, personal computer, and printer.

14       (d) To each individual or, as to community property of spouses  
15 maintaining a single household as against a creditor of the  
16 community, to the community:

17       (i) The individual's or community's household goods, appliances,  
18 furniture, and home and yard equipment, not to exceed six thousand  
19 five hundred dollars in value for the individual or thirteen thousand  
20 dollars for the community, no single item to exceed seven hundred  
21 fifty dollars, said amount to include provisions and fuel for the  
22 comfortable maintenance of the individual or community;

23       (ii) Other personal property, except personal earnings as  
24 provided under RCW 6.15.050(1), not to exceed three thousand dollars  
25 in value, of which not more than one thousand five hundred dollars in  
26 value may consist of cash, and of which not more than:

27       (A) Until January 1, 2018:

28       (I) For debts owed to state agencies, two hundred dollars in  
29 value may consist of bank accounts, savings and loan accounts,  
30 stocks, bonds, or other securities. The maximum exemption under  
31 ~~((+e))~~ (d)(ii)(A) of this subsection may not exceed two hundred  
32 dollars, regardless of the number of existing separate bank accounts,  
33 savings and loan accounts, stocks, bonds, or other securities.

34       (II) For all private student loan debt, two thousand five hundred  
35 dollars in value may consist of bank accounts, savings and loan  
36 accounts, stocks, bonds, or other securities. The maximum exemption  
37 under this subsection (1)(d)(ii)(A)(II) may not exceed two thousand  
38 five hundred dollars, regardless of the number of existing separate  
39 bank accounts, savings and loan accounts, stocks, bonds, or other  
40 securities.

1        (III) For all other debts, five hundred dollars in value may  
2 consist of bank accounts, savings and loan accounts, stocks, bonds,  
3 or other securities. The maximum exemption under ~~((e))~~ (d)(ii)(B)  
4 (I) of this subsection may not exceed five hundred dollars,  
5 regardless of the number of existing separate bank accounts, savings  
6 and loan accounts, stocks, bonds, or other securities.

7        (B) After January 1, 2018:

8        (I) For all debts except private student loan debt, five hundred  
9 dollars in value may consist of bank accounts, savings and loan  
10 accounts, stocks, bonds, or other securities. The maximum exemption  
11 under this subsection ~~(1)((e))~~ (d)(ii)(B)(I) may not exceed five  
12 hundred dollars, regardless of the number of existing separate bank  
13 accounts, savings and loan accounts, stocks, bonds, or other  
14 securities.

15        (II) For all private student loan debt, two thousand five hundred  
16 dollars in value may consist of bank accounts, savings and loan  
17 accounts, stocks, bonds, or other securities. The maximum exemption  
18 under this subsection (1)(d)(ii)(B)(II) may not exceed two thousand  
19 five hundred dollars, regardless of the number of existing separate  
20 bank accounts, savings and loan accounts, stocks, bonds, or other  
21 securities;

22        (iii) For an individual, a motor vehicle used for personal  
23 transportation, not to exceed three thousand two hundred fifty  
24 dollars or for a community two motor vehicles used for personal  
25 transportation, not to exceed six thousand five hundred dollars in  
26 aggregate value;

27        (iv) Any past due, current, or future child support paid or owed  
28 to the debtor, which can be traced;

29        (v) All professionally prescribed health aids for the debtor or a  
30 dependent of the debtor; and

31        (vi) To any individual, the right to or proceeds of a payment not  
32 to exceed twenty thousand dollars on account of personal bodily  
33 injury, not including pain and suffering or compensation for actual  
34 pecuniary loss, of the debtor or an individual of whom the debtor is  
35 a dependent; or the right to or proceeds of a payment in compensation  
36 of loss of future earnings of the debtor or an individual of whom the  
37 debtor is or was a dependent, to the extent reasonably necessary for  
38 the support of the debtor and any dependent of the debtor. The  
39 exemption under this subsection ~~(1)((e))~~ (d)(vi) does not apply to

1 the right of the state of Washington, or any agent or assignee of the  
2 state, as a lienholder or subrogee under RCW 43.20B.060.

3 ~~((d))~~ (e) To each qualified individual, one of the following  
4 exemptions:

5 (i) To a farmer, farm trucks, farm stock, farm tools, farm  
6 equipment, supplies and seed, not to exceed ten thousand dollars in  
7 value;

8 (ii) To a physician, surgeon, attorney, member of the clergy, or  
9 other professional person, the individual's library, office  
10 furniture, office equipment and supplies, not to exceed ten thousand  
11 dollars in value;

12 (iii) To any other individual, the tools and instruments and  
13 materials used to carry on his or her trade for the support of  
14 himself or herself or family, not to exceed ten thousand dollars in  
15 value.

16 ~~((e))~~ (f) Tuition units, under chapter 28B.95 RCW, purchased  
17 more than two years prior to the date of a bankruptcy filing or court  
18 judgment, and contributions to any other qualified tuition program  
19 under 26 U.S.C. Sec. 529 of the internal revenue code of 1986, as  
20 amended, and to a Coverdell education savings account, also known as  
21 an education individual retirement account, under 26 U.S.C. Sec. 530  
22 of the internal revenue code of 1986, as amended, contributed more  
23 than two years prior to the date of a bankruptcy filing or court  
24 judgment.

25 (2) For purposes of this section, "value" means the reasonable  
26 market value of the debtor's interest in an article or item at the  
27 time it is selected for exemption, exclusive of all liens and  
28 encumbrances thereon.

29 **Sec. 7.** RCW 6.27.100 and 2012 c 159 s 3 are each amended to read  
30 as follows:

31 (1) A writ issued for a continuing lien on earnings shall be  
32 substantially in the form provided in RCW 6.27.105. All other writs  
33 of garnishment shall be substantially in the following form, but:

34 (a) If the writ is issued under an order or judgment for child  
35 support, the following statement shall appear conspicuously in the  
36 caption: "This garnishment is based on a judgment or order for child  
37 support";

38 (b) If the writ is issued under an order or judgment for private  
39 student loan debt, the following statement shall appear conspicuously

1 in the caption: "This garnishment is based on a judgment or order for  
2 private student loan debt"; and

3 (c) If the writ is issued by an attorney, the writ shall be  
4 revised as indicated in subsection (2) of this section:

5 "IN THE ..... COURT  
6 OF THE STATE OF WASHINGTON IN AND FOR  
7 THE COUNTY OF .....

8 ..... ,  
9 Plaintiff, No. ....

10 vs.

11 ..... , WRIT OF  
12 Defendant, GARNISHMENT

13 ..... ,  
14 Garnishee  
15 THE STATE OF WASHINGTON TO: .....  
16 Garnishee

17 AND TO: .....  
18 Defendant

19 The above-named plaintiff has applied for a writ of  
20 garnishment against you, claiming that the above-named  
21 defendant is indebted to plaintiff and that the amount to  
22 be held to satisfy that indebtedness is \$ . . . . . ,  
23 consisting of:

24	Balance on Judgment or Amount of Claim	\$ . . . .
25	Interest under Judgment from . . . . to . . . .	\$ . . . .
26	Per Day Rate of Estimated Interest	\$ . . . .
27		per day
28	Taxable Costs and Attorneys' Fees	\$ . . . .
29	Estimated Garnishment Costs:	
30	Filing and Ex Parte Fees	\$ . . . .
31	Service and Affidavit Fees	\$ . . . .
32	Postage and Costs of Certified Mail	\$ . . . .
33	Answer Fee or Fees	\$ . . . .
34	Garnishment Attorney Fee	\$ . . . .
35	Other	\$ . . . .

1 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
2 by the attorney of record for the plaintiff, or by this writ, not to  
3 pay any debt, whether earnings subject to this garnishment or any  
4 other debt, owed to the defendant at the time this writ was served  
5 and not to deliver, sell, or transfer, or recognize any sale or  
6 transfer of, any personal property or effects of the defendant in  
7 your possession or control at the time when this writ was served. Any  
8 such payment, delivery, sale, or transfer is void to the extent  
9 necessary to satisfy the plaintiff's claim and costs for this writ  
10 with interest.

11 YOU ARE FURTHER COMMANDED to answer this writ according to the  
12 instructions in this writ and in the answer forms and, within twenty  
13 days after the service of the writ upon you, to mail or deliver the  
14 original of such answer to the court, one copy to the plaintiff or  
15 the plaintiff's attorney, and one copy to the defendant, at the  
16 addresses listed at the bottom of this writ.

17 If you owe the defendant a debt payable in money in excess of the  
18 amount set forth in the first paragraph of this writ, hold only the  
19 amount set forth in the first paragraph and any processing fee if one  
20 is charged and release all additional funds or property to defendant.

21 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
22 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
23 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND  
24 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU  
25 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED  
26 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT  
27 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

28 JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
29 FEES INCURRED BY THE PLAINTIFF.

30 Witness, the Honorable . . . . ., Judge of the above-  
31 entitled Court, and the seal thereof, this . . . . day  
32 of . . . . ., ((20)). . . . (year)

33 [Seal]

34 .....  
35 Attorney for Clerk of  
36 Plaintiff (or the Court  
37 Plaintiff, if no  
38 attorney)

1 .....  
 2 Address By  
 3 .....  
 4 Name of Defendant Address"  
 5 .....  
 6 Address of Defendant

7 (2) If an attorney issues the writ of garnishment, the final  
 8 paragraph of the writ, containing the date, and the subscribed  
 9 attorney and clerk provisions, shall be replaced with text in  
 10 substantially the following form:

11 "This writ is issued by the undersigned attorney of record for  
 12 plaintiff under the authority of chapter 6.27 of the Revised Code of  
 13 Washington, and must be complied with in the same manner as a writ  
 14 issued by the clerk of the court.

15 Dated this .....day of....., ((20))....  
 16 (year)  
 17 .....  
 18 Attorney for Plaintiff  
 19 .....  
 20 Address Address of the Clerk of the  
 21 Court"  
 22 .....  
 23 Name of Defendant  
 24 .....  
 25 Address of Defendant  
 26

27 **Sec. 8.** RCW 6.27.105 and 2012 c 159 s 4 are each amended to read  
 28 as follows:

29 (1) A writ that is issued for a continuing lien on earnings shall  
 30 be substantially in the following form, but:

31 (a) If the writ is issued under an order or judgment for child  
 32 support, the following statement shall appear conspicuously in the  
 33 caption: "This garnishment is based on a judgment or order for child  
 34 support((+))";

1 (b) If the writ is issued under an order or judgment for private  
2 student loan debt, the following statement shall appear conspicuously  
3 in the caption: "This garnishment is based on a judgment or order for  
4 private student loan debt"; and

5 (c) If the writ is issued by an attorney, the writ shall be  
6 revised as indicated in subsection (2) of this section:

7 "IN THE ..... COURT  
8 OF THE STATE OF WASHINGTON IN AND FOR  
9 THE COUNTY OF .....

10 ..... ,  
11 Plaintiff, No. ....  
12 vs.  
13 ..... , WRIT OF  
14 Defendant GARNISHMENT FOR  
15 CONTINUING LIEN ON  
16 ..... , EARNINGS  
17 Garnishee

18 THE STATE OF WASHINGTON TO:.....  
19 Garnishee

20 AND TO:.....  
21 Defendant

22 The above-named plaintiff has applied for a writ of  
23 garnishment against you, claiming that the above-named  
24 defendant is indebted to plaintiff and that the amount to  
25 be held to satisfy that indebtedness is \$ . . . . . ,  
26 consisting of:

27	Balance on Judgment or Amount of Claim	\$ ....
28	Interest under Judgment from .... to ....	\$ ....
29	Per Day Rate of Estimated Interest	\$ ....
30		per day
31	Taxable Costs and Attorneys' Fees	\$ ....
32	Estimated Garnishment Costs:	
33	Filing and Ex Parte Fees	\$ ....
34	Service and Affidavit Fees	\$ ....
35	Postage and Costs of Certified Mail	\$ ....
36	Answer Fee or Fees	\$ ....



1	Garnishment Attorney Fee	\$....
2	Other	\$....

3 THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD  
4 the nonexempt portion of the defendant's earnings due at the time of  
5 service of this writ and shall also hold the defendant's nonexempt  
6 earnings that accrue through the last payroll period ending on or  
7 before SIXTY days after the date of service of this writ. HOWEVER, IF  
8 THE GARNISHEE IS PRESENTLY HOLDING THE NONEXEMPT PORTION OF THE  
9 DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT FOR A CONTINUING  
10 LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only the defendant's  
11 nonexempt earnings that accrue from the date the previously served  
12 writ or writs terminate and through the last payroll period ending on  
13 or before sixty days after the date of termination of the previous  
14 writ or writs. IN EITHER CASE, THE GARNISHEE SHALL STOP WITHHOLDING  
15 WHEN THE SUM WITHHELD EQUALS THE AMOUNT STATED IN THIS WRIT OF  
16 GARNISHMENT.

17 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
18 by the attorney of record for the plaintiff, or by this writ, not to  
19 pay any debt, whether earnings subject to this garnishment or any  
20 other debt, owed to the defendant at the time this writ was served  
21 and not to deliver, sell, or transfer, or recognize any sale or  
22 transfer of, any personal property or effects of the defendant in  
23 your possession or control at the time when this writ was served. Any  
24 such payment, delivery, sale, or transfer is void to the extent  
25 necessary to satisfy the plaintiff's claim and costs for this writ  
26 with interest.

27 YOU ARE FURTHER COMMANDED to answer this writ according to the  
28 instructions in this writ and in the answer forms and, within twenty  
29 days after the service of the writ upon you, to mail or deliver the  
30 original of such answer to the court, one copy to the plaintiff or  
31 the plaintiff's attorney, and one copy to the defendant, at the  
32 addresses listed at the bottom of this writ.

33 If, at the time this writ was served, you owed the defendant any  
34 earnings (that is, wages, salary, commission, bonus, tips, or other  
35 compensation for personal services or any periodic payments pursuant  
36 to a nongovernmental pension or retirement program), the defendant is  
37 entitled to receive amounts that are exempt from garnishment under  
38 federal and state law. You must pay the exempt amounts to the  
39 defendant on the day you would customarily pay the compensation or

1 other periodic payment. As more fully explained in the answer, the  
2 basic exempt amount is the greater of seventy-five percent of  
3 disposable earnings or a minimum amount determined by reference to  
4 the employee's pay period, to be calculated as provided in the  
5 answer. However, if this writ carries a statement in the heading  
6 (~~that~~) of either: "This garnishment is based on a judgment or order  
7 for child support," the basic exempt amount is fifty percent of  
8 disposable earnings; or "This garnishment is based on a judgment or  
9 order for private student loan debt," the basic exempt amount is the  
10 greater of eighty-five percent of disposable earnings or fifty times  
11 the minimum hourly wage of the highest minimum wage law in the state  
12 at the time the earnings are payable.

13 YOU MAY DEDUCT A PROCESSING FEE FROM THE REMAINDER OF THE  
14 EMPLOYEE'S EARNINGS AFTER WITHHOLDING UNDER THIS WRIT. THE PROCESSING  
15 FEE MAY NOT EXCEED TWENTY DOLLARS FOR THE FIRST ANSWER AND TEN  
16 DOLLARS AT THE TIME YOU SUBMIT THE SECOND ANSWER.

17 If you owe the defendant a debt payable in money in excess of the  
18 amount set forth in the first paragraph of this writ, hold only the  
19 amount set forth in the first paragraph and any processing fee if one  
20 is charged and release all additional funds or property to defendant.

21 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
22 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
23 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND  
24 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU  
25 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED  
26 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT  
27 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

28 JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
29 FEES INCURRED BY THE PLAINTIFF.

30 Witness, the Honorable . . . . ., Judge of the above-  
31 entitled Court, and the seal thereof, this . . . . day  
32 of . . . . ., ((20)). . . . (year)

33 [Seal]

34 .....  
35 Attorney for Clerk of  
36 Plaintiff (or the Court  
37 Plaintiff, if no  
38 attorney)

1 .....  
 2 Address By  
 3 .....  
 4 Name of Defendant Address"  
 5 .....  
 6 Address of Defendant

7 (2) If an attorney issues the writ of garnishment, the final  
 8 paragraph of the writ, containing the date, and the subscribed  
 9 attorney and clerk provisions, shall be replaced with text in  
 10 substantially the following form:

11 "This writ is issued by the undersigned attorney of record for  
 12 plaintiff under the authority of chapter 6.27 of the Revised Code of  
 13 Washington, and must be complied with in the same manner as a writ  
 14 issued by the clerk of the court.

15 Dated this .....day of ....., ((20))....  
 16 (year)  
 17 .....  
 18 .....  
 19 Attorney for Plaintiff  
 20 .....  
 21 Address Address of the Clerk of the  
 22 Court"  
 23 .....  
 24 Name of Defendant  
 25 .....  
 26 Address of Defendant

27 **Sec. 9.** RCW 6.27.140 and 2012 c 159 s 8 are each amended to read  
 28 as follows:

29 (1) The notice required by RCW 6.27.130(1) to be mailed to or  
 30 served on an individual judgment debtor shall be in the following  
 31 form, printed or typed in no smaller than size twelve point font:

32 NOTICE OF GARNISHMENT  
 33 AND OF YOUR RIGHTS

1 A Writ of Garnishment issued in a Washington court has been  
2 or will be served on the garnishee named in the attached copy  
3 of the writ. After receipt of the writ, the garnishee is  
4 required to withhold payment of any money that was due to you  
5 and to withhold any other property of yours that the  
6 garnishee held or controlled. This notice of your rights is  
7 required by law.

8 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

9 WAGES. If the garnishee is your employer who owes wages or  
10 other personal earnings to you, your employer is required to  
11 pay amounts to you that are exempt under state and federal  
12 laws, as explained in the writ of garnishment. You should  
13 receive a copy of your employer's answer, which will show how  
14 the exempt amount was calculated. If the garnishment is for  
15 child support, the exempt amount paid to you will be a  
16 percent of your disposable earnings, which is fifty percent  
17 of that part of your earnings remaining after your employer  
18 deducts those amounts which are required by law to be  
19 withheld. If the garnishment is for private student loan  
20 debt, the exempt amount paid to you will be the greater of  
21 the following: A percent of your disposable earnings, which  
22 is eighty-five percent of the part of your earnings remaining  
23 after your employer deducts those amounts which are required  
24 by law to be withheld, or fifty times the minimum hourly wage  
25 of the highest minimum wage law in the state at the time the  
26 earnings are payable.

27 BANK ACCOUNTS. If the garnishee is a bank or other  
28 institution with which you have an account in which you have  
29 deposited benefits such as Temporary Assistance for Needy  
30 Families, Supplemental Security Income (SSI), Social  
31 Security, veterans' benefits, unemployment compensation, or  
32 any federally qualified pension, such as a state or federal  
33 pension, individual retirement account (IRA), or 401K plan,  
34 you may claim the account as fully exempt if you have  
35 deposited only such benefit funds in the account. It may be  
36 partially exempt even though you have deposited money from  
37 other sources in the same account. An exemption is also  
38 available under RCW 26.16.200, providing that funds in a

1 community bank account that can be identified as the earnings  
2 of a stepparent are exempt from a garnishment on the child  
3 support obligation of the parent.

4 OTHER EXEMPTIONS. If the garnishee holds other property of  
5 yours, some or all of it may be exempt under RCW 6.15.010, a  
6 Washington statute that exempts certain property of your  
7 choice (including up to \$2,500.00 in a bank account if you  
8 owe on private student loan debts or up to \$500.00 in a bank  
9 account for all other debts) and certain other property such  
10 as household furnishings, tools of trade, and a motor vehicle  
11 (all limited by differing dollar values).

12 HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and  
13 mail or deliver it as described in instructions on the claim  
14 form. If the plaintiff does not object to your claim, the  
15 funds or other property that you have claimed as exempt must  
16 be released not later than 10 days after the plaintiff  
17 receives your claim form. If the plaintiff objects, the law  
18 requires a hearing not later than 14 days after the plaintiff  
19 receives your claim form, and notice of the objection and  
20 hearing date will be mailed to you at the address that you  
21 put on the claim form.

22 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,  
23 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,  
24 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY  
25 DELAY.

26 (2)(a) If the writ is to garnish funds or property held by a  
27 financial institution, the claim form required by RCW 6.27.130(1) to  
28 be mailed to or served on an individual judgment debtor shall be in  
29 the following form, printed or typed in no smaller than size twelve  
30 point font:

31 [Caption to be filled in by judgment creditor  
32 or plaintiff before mailing.]

33 .....  
34 Name of Court  
35 ..... No .....  
36 Plaintiff,  
37 vs.

..... EXEMPTION CLAIM

Defendant,

.....  
Garnishee Defendant

INSTRUCTIONS:

1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.
2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.

I/We claim the following money or property as exempt:

IF BANK ACCOUNT IS GARNISHED:

- The account contains payments from:
  - Temporary assistance for needy families, SSI, or other public assistance. I receive \$ . . . . . monthly.
  - Social Security. I receive \$ . . . . . monthly.
  - Veterans' Benefits. I receive \$ . . . . . monthly.
  - Federally qualified pension, such as a state or federal pension, individual retirement account (IRA), or 401K plan. I receive \$ . . . . . monthly.
  - Unemployment Compensation. I receive \$ . . . . . monthly.
  - Child support. I receive \$ . . . . . monthly.

- 1                                     Other. Explain .....
- 2                                    .....
- 3                                     \$2,500 exemption for private student loan debts.
- 4                                     \$500 exemption for all other debts.

5 IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,  
 6 ANSWER ONE OR BOTH OF THE FOLLOWING:

- 7                                     No money other than from above payments are in
- 8                                    the account.
- 9                                     Moneys in addition to the above payments have
- 10                                   been deposited in the account. Explain .....
- 11                                   .....
- 12                                   .....

13 OTHER PROPERTY:

- 14                                    Describe property .....
- 15                                   .....

(If you claim other personal property as exempt,  
 17 you must attach a list of all other personal property  
 18 that you own.)

19 ..... ..

Print: Your name	If married or in a state registered domestic partnership, name of husband/wife/ state registered domestic partner
------------------	--

26 ..... ..

Your signature	Signature of husband, wife, or state registered domestic partner
----------------	--

30 ..... ..

31 ..... ..

Address	Address (if different from yours)
---------	--------------------------------------

34 ..... ..

Telephone number	Telephone number (if different from yours)
------------------	---

36

1 CAUTION: If the plaintiff objects to your claim, you will have to  
2 go to court and give proof of your claim. For example, if you claim  
3 that a bank account is exempt, you may have to show the judge your  
4 bank statements and papers that show the source of the money you  
5 deposited in the bank. Your claim may be granted more quickly if you  
6 attach copies of such proof to your claim.

7 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
8 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
9 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
10 PLAINTIFF'S ATTORNEY FEES.

11 (b) If the writ is directed to an employer to garnish earnings,  
12 the claim form required by RCW 6.27.130(1) to be mailed to or served  
13 on an individual judgment debtor shall be in the following form,  
14 subject to (c) of this subsection, printed or typed in no smaller  
15 than size twelve point font type:

[Caption to be filled in by judgment creditor  
or plaintiff before mailing.]

.....  
Name of Court  
..... No.....  
Plaintiff,  
vs.  
..... EXEMPTION CLAIM  
Defendant,  
.....  
Garnishee Defendant

INSTRUCTIONS:

1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.

I/We claim the following money or property as exempt:  
  
IF PENSION OR RETIREMENT BENEFITS ARE GARNISHED:

[ ] Name and address of employer who is paying the benefits:.....  
.....

IF EARNINGS ARE GARNISHED FOR CHILD SUPPORT:

[ ] I claim maximum exemption.

IF EARNINGS ARE GARNISHED FOR PRIVATE STUDENT LOAN DEBT:

[ ] I claim maximum exemption.

.....

Print: Your name                      If married or in a state registered domestic partnership, name of husband/wife/state registered domestic partner

.....

Your signature                      Signature of husband, wife, or state registered domestic partner

.....

.....

Address                                      Address

(if different from yours)

.....

Telephone number Telephone number

(if different from yours)

CAUTION: If the plaintiff objects to your claim, you will have to go to court and give proof of your claim. For example, if you claim that a bank account is exempt, you may have to show the judge your bank statements and papers that show the source of the money you deposited in the bank. Your claim may be granted more quickly if you attach copies of such proof to your claim.

IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE PLAINTIFF'S ATTORNEY FEES.

(c) If the writ under (b) of this subsection is not a writ for the collection of child support, the exemption language pertaining to child support may be omitted.

(d) If the writ under (b) of this subsection is not a writ for the collection of private student loan debt, the exemption language pertaining to private student loan debt may be omitted.

**Sec. 10.** RCW 6.27.150 and 2012 c 159 s 9 are each amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, if the garnishee is an employer owing the defendant earnings, then for each week of such earnings, an amount shall be exempt from garnishment which is the greatest of the following:

- (a) Thirty-five times the federal minimum hourly wage in effect at the time the earnings are payable; or
- (b) Seventy-five percent of the disposable earnings of the defendant.

(2) In the case of a garnishment based on a judgment or other order for child support or court order for spousal maintenance, other than a mandatory wage assignment order pursuant to chapter 26.18 RCW, or a mandatory assignment of retirement benefits pursuant to chapter 41.50 RCW, the exemption shall be fifty percent of the disposable earnings of the defendant.

1       (3) In the case of a garnishment based on a judgment or other  
2 order for the collection of private student loan debt, for each week  
3 of such earnings, an amount shall be exempt from garnishment which is  
4 the greater of the following:

5       (a) Fifty times the minimum hourly wage of the highest minimum  
6 wage law in the state at the time the earnings are payable; or

7       (b) Eighty-five percent of the disposable earnings of the  
8 defendant.

9       (4) The exemptions stated in this section shall apply whether  
10 such earnings are paid, or are to be paid, weekly, monthly, or at  
11 other intervals, and whether earnings are due the defendant for one  
12 week, a portion thereof, or for a longer period.

13       (~~(4)~~) (5) Unless directed otherwise by the court, the garnishee  
14 shall determine and deduct exempt amounts under this section as  
15 directed in the writ of garnishment and answer, and shall pay these  
16 amounts to the defendant.

17       (~~(5)~~) (6) No money due or earned as earnings as defined in RCW  
18 6.27.010 shall be exempt from garnishment under the provisions of RCW  
19 6.15.010, as now or hereafter amended.

20       NEW SECTION. Sec. 11. This act may be known and cited as the  
21 student opportunity, assistance, and relief act.

--- END ---