
HOUSE BILL 1047

State of Washington

66th Legislature

2019 Regular Session

By Representatives Jenkins, Stokesbary, and Macri

Prefiled 12/14/18. Read first time 01/14/19. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to commissioners of courts of limited
2 jurisdiction; and amending RCW 3.50.075 and 26.04.050.

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

4 **Sec. 1.** RCW 3.50.075 and 2008 c 227 s 8 are each amended to read
5 as follows:

6 (1) One or more court commissioners may be appointed by a judge
7 of the municipal court.

8 (2) Each commissioner holds office at the pleasure of the
9 appointing judge.

10 (3) Except as provided in subsection (4) of this section, a
11 commissioner ((authorized to hear or dispose of cases)) has such
12 power, authority, and jurisdiction in criminal and civil matters as
13 the appointing judges possess, and must be a lawyer who is admitted
14 to practice law in the state of Washington or a nonlawyer who has
15 passed, by January 1, 2003, the qualifying examination for lay judges
16 for courts of limited jurisdiction under RCW 3.34.060.

17 (4) On or after July 1, 2010, when serving as a commissioner, the
18 commissioner does not have authority to preside over trials in
19 criminal matters, or jury trials in civil matters unless agreed to on
20 the record by all parties.

1 (5) A commissioner need not be a resident of the city or of the
2 county in which the municipal court is created. When a court
3 commissioner has not been appointed and the municipal court is
4 presided over by a part-time appointed judge, the judge need not be a
5 resident of the city or of the county in which the municipal court is
6 created.

7 **Sec. 2.** RCW 26.04.050 and 2017 c 130 s 1 are each amended to
8 read as follows:

9 The following named officers and persons, active or retired, are
10 hereby authorized to solemnize marriages, to wit: Justices of the
11 supreme court, judges of the court of appeals, judges of the superior
12 courts, supreme court commissioners, court of appeals commissioners,
13 superior court commissioners, judges and commissioners of courts of
14 limited jurisdiction as defined in RCW 3.02.010, judges of tribal
15 courts from a federally recognized tribe, and any regularly licensed
16 or ordained minister or any priest, imam, rabbi, or similar official
17 of any religious organization. The solemnization of a marriage by a
18 tribal court judge pursuant to authority under this section does not
19 create tribal court jurisdiction and does not affect state court
20 authority as otherwise provided by law to enter a judgment for
21 purposes of any dissolution, legal separation, or other proceedings
22 related to the marriage that is binding on the parties and entitled
23 to full faith and credit.

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