

HOUSE BILL REPORT

SHB 1532

As Passed Legislature

Title: An act relating to court filing fees.

Brief Description: Concerning court filing fees.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ormsby, Lekanoff, Harris-Talley and Macri).

Brief History:

Committee Activity:

Appropriations: 3/15/21, 3/18/21 [DPS].

Floor Activity:

Passed House: 4/5/21, 63-35.

Passed Senate: 4/15/21, 37-11.

Passed Legislature.

Brief Summary of Substitute Bill

- Eliminates the expiration date for surcharges on court filing fees that are deposited into the Judicial Stabilization Trust Account.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Chopp, Cody, Dolan, Fitzgibbon, Frame, Hansen, Harris, Jacobsen, Johnson, J., Lekanoff, Pollet, Ryu, Schmick, Senn, Springer, Stonier, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 9 members: Representatives Stokesbary, Ranking Minority Member; Corry, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Boehnke, Caldier, Chandler, Dye, Rude and Steele.

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

Staff: Yvonne Walker (786-7841).

Background:

Filing Fees.

Superior and district courts are authorized to collect filing fees and other fees for court services. Revenue from superior court filing fees is split with 46 percent going to the state and the remainder going to the county. Revenue from district court filing fees is split with 32 percent going to the state and the remainder going to the county.

Surcharges on Filing Fees.

Legislation enacted in 2009 authorized temporary surcharges on filing fees in superior and district courts. Superior court filings were subject to a \$30 surcharge, except filings of an appeal from a court of limited jurisdiction, where the surcharge was \$20. District court filings were subject to a \$20 surcharge, except small claims filings, which were subject to a \$10 surcharge.

Legislation enacted in 2013 extended the expiration date for the surcharges until July 1, 2017, and extended the revenue split from the surcharges between the state and the county collecting the fee, with 75 percent going to the state and 25 percent going to the county. Local revenue going to the counties from the surcharges must be used to support local trial courts and court-related costs. Legislation enacted in 2012 increased the temporary surcharges on filing fees by \$10.

Legislation enacted in 2017 extended the expiration date for the surcharges until July 1, 2021, except for the surcharges on small claims filings.

State revenue from the surcharges must be remitted to the State Treasurer for deposit into the Judicial Stabilization Trust Account (Account). Expenditures from the Account may only be used for the support of judicial branch agencies.

Summary of Substitute Bill:

The expiration date for surcharges on superior court and district court filings is eliminated.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2021.

Staff Summary of Public Testimony:

(In support) This bill will remove the sunset date for surcharges on filing fees and will

generate \$15 million. A total of \$11 million is retained by the state and \$4 million is distributed to local jurisdictions for the proper functioning of the judicial branch of government.

(Opposed) None.

Persons Testifying: Representative Ormsby, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.