

**ESSB 5173** - H COMM AMD

By Committee on Civil Rights & Judiciary

**ADOPTED AS AMENDED 04/07/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 6.15.010 and 2021 c 50 s 2 are each amended to read  
4 as follows:

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

7 (a) All wearing apparel of every individual and family, but not  
8 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in  
9 furs, jewelry, and personal ornaments for any individual.

10 (b) All private libraries including electronic media, which  
11 includes audiovisual, entertainment, or reference media in digital or  
12 analogue format, of every individual, but not to exceed (~~three  
13 thousand five hundred dollars~~) \$3,500 in value, and all family  
14 pictures and keepsakes.

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

16 (d) To each individual or, as to community property of spouses  
17 maintaining a single household as against a creditor of the  
18 community, to the community, provided that each spouse is entitled to  
19 his or her own exemptions in this subsection (1)(d):

20 (i) (~~The individual's or community's~~) All household goods,  
21 appliances, furniture, and home and yard equipment, not to exceed  
22 (~~six thousand five hundred dollars~~) \$6,500 in value for the  
23 individual (~~or thirteen thousand dollars for the community, no~~  
24 ~~single item to exceed seven hundred fifty dollars~~), said amount to  
25 include provisions and fuel for (~~the~~) comfortable maintenance (~~of~~  
26 ~~the individual or community~~);

27 (ii) In a bankruptcy case, any other personal property, except  
28 personal earnings as provided under RCW 6.15.050(1), not to exceed  
29 \$10,000 in value. The value shall be determined as of the date the  
30 bankruptcy petition is filed;

31 (iii) Other than in a bankruptcy case as described in (d)(ii) of  
32 this subsection, other personal property, except personal earnings as

1 provided under RCW 6.15.050(1), not to exceed (~~three thousand~~  
2 ~~dollars~~) \$3,000 in value, (~~of which not more than one thousand five~~  
3 ~~hundred dollars in value may consist of cash, and~~) of which not more  
4 than:

5 (A) For all debts except private student loan debt and consumer  
6 debt, (~~five hundred dollars~~) \$500 in value may consist of bank  
7 accounts, savings and loan accounts, stocks, bonds, or other  
8 securities. The maximum exemption under this subsection (1)(d)  
9 (~~(i)~~) (iii)(A) shall be automatically protected and may not exceed  
10 (~~five hundred dollars~~) \$500, regardless of the number of existing  
11 separate bank accounts, savings and loan accounts, stocks, bonds, or  
12 other securities.

13 (B) For all private student loan debt, (~~two thousand five~~  
14 ~~hundred dollars~~) \$2,500 in value may consist of bank accounts,  
15 savings and loan accounts, stocks, bonds, or other securities. \$1,000  
16 in value shall be automatically protected. The maximum exemption  
17 under this subsection (1)(d) (~~(i)~~) (iii)(B) may not exceed (~~two~~  
18 ~~thousand five hundred dollars~~) \$2,500, regardless of the number of  
19 existing separate bank accounts, savings and loan accounts, stocks,  
20 bonds, or other securities.

21 (C) For all consumer debt, (~~two thousand dollars~~) \$2,000 in  
22 value may consist of bank accounts, savings and loan accounts,  
23 stocks, bonds, or other securities. \$1,000 in value shall be  
24 automatically protected. The maximum exemption under this subsection  
25 (1)(d) (~~(i)~~) (iii)(C) may not exceed (~~two thousand dollars~~)  
26 \$2,000, regardless of the number of existing separate bank accounts,  
27 savings and loan accounts, stocks, bonds, or other securities;

28 (~~(iii) For an individual, a~~) (iv) A motor vehicle (~~used for~~  
29 ~~personal transportation,~~) not to exceed (~~three thousand two hundred~~  
30 ~~fifty dollars or for a community two motor vehicles used for personal~~  
31 ~~transportation, not to exceed six thousand five hundred dollars~~)  
32 \$15,000 in aggregate value;

33 (~~(iv)~~) (v) Any past due, current, or future child support paid  
34 or owed to the debtor, which can be traced;

35 (~~(v)~~) (vi) All professionally prescribed health aids for the  
36 debtor or a dependent of the debtor; (~~and~~

37 ~~(vi)~~) (vii) To any individual, the right to or proceeds of a  
38 payment not to exceed twenty thousand dollars on account of personal  
39 bodily injury, not including pain and suffering or compensation for  
40 actual pecuniary loss, of the debtor or an individual of whom the

1 debtor is a dependent; or the right to or proceeds of a payment in  
2 compensation of loss of future earnings of the debtor or an  
3 individual of whom the debtor is or was a dependent, to the extent  
4 reasonably necessary for the support of the debtor and any dependent  
5 of the debtor; and

6 (viii) In a bankruptcy case, the right to or proceeds of personal  
7 injury of the debtor or an individual of whom the debtor is a  
8 dependent; or the right to or proceeds of a payment in compensation  
9 of loss of future earnings of the debtor or an individual of whom the  
10 debtor is or was a dependent are free of the enforcement of the  
11 claims of creditors, except to the extent such claims are for the  
12 satisfaction of any liens or subrogation claims arising out of the  
13 claims for personal injury or death. The exemption under this  
14 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the  
15 state of Washington, or any agent or assignee of the state, as a  
16 lienholder or subrogee under RCW 43.20B.060.

17 (e) ~~((To each qualified individual, one of the following~~  
18 ~~exemptions:~~

19 ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~  
20 ~~equipment, supplies and seed, not to exceed ten thousand dollars in~~  
21 ~~value;~~

22 ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~  
23 ~~other professional person, the individual's library, office~~  
24 ~~furniture, office equipment and supplies, not to exceed ten thousand~~  
25 ~~dollars in value;~~

26 ~~(iii)) To any ((other)) individual, the tools ((and)),~~  
27 ~~instruments ((and)), materials, and supplies used to carry on his or~~  
28 ~~her trade ((for the support of himself or herself or family,)) not to~~  
29 ~~exceed ((ten thousand dollars)) \$15,000 in value.~~

30 (f) Tuition units, under chapter 28B.95 RCW, purchased more than  
31 two years prior to the date of a bankruptcy filing or court judgment,  
32 and contributions to any other qualified tuition program under 26  
33 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and  
34 to a Coverdell education savings account, also known as an education  
35 individual retirement account, under 26 U.S.C. Sec. 530 of the  
36 internal revenue code of 1986, as amended, contributed more than two  
37 years prior to the date of a bankruptcy filing or court judgment.

38 (2) For purposes of this section, "value" means the reasonable  
39 market value of the debtor's interest in an article or item at the

1 time it is selected for exemption, exclusive of all liens and  
2 encumbrances thereon.

3 (3) (a) In the case of married persons, each spouse is entitled to  
4 the exemptions provided in this section, which may be combined with  
5 the other spouse's exemption in the same property or taken in  
6 different exempt property.

7 (b) Whenever a debtor claims a combined exemption with their  
8 spouse, a creditor may serve on the debtor a written demand for  
9 evidence that the debtor is married and their spouse has agreed to  
10 the combined exemption. The demand must expressly and clearly state  
11 the debtor has 30 days to send the creditor a response by mail or  
12 email, the specific mailing or email address the debtor must send a  
13 response to, and that the debtor may establish the existence of their  
14 marriage through documentary evidence such as a copy of their  
15 marriage certificate or an equivalent document, and may establish  
16 each spouse's agreement to combine exemptions with a written  
17 declaration given under penalty of perjury that has been signed by  
18 both spouses. The creditor shall provide the debtor with a one-page  
19 form declaration for this purpose with its demand for evidence.

20 (c) If the debtor fails to timely respond to the creditor's  
21 demand, or the creditor concludes in good faith on the basis of the  
22 debtor's response that the debtor is not married or their spouse has  
23 not consented to combine exemptions, the creditor may seek a  
24 declaratory judgment pursuant to chapter 7.24 RCW, from the superior  
25 court of the county in which the debtor resides or from the court  
26 wherein the exemption claim is at issue, that the debtor is not  
27 legally entitled to claim a combined exemption. If the court finds a  
28 combined exemption was claimed in bad faith, the court may award  
29 costs and attorneys' fees to the creditor. If the court finds the  
30 creditor objected to the combined exemption or sought declaratory  
31 judgment in bad faith, the court may award costs and reasonable  
32 attorneys' fees to the debtor. A creditor shall not seek to execute,  
33 attach, garnish, or otherwise collect funds or property a debtor has  
34 claimed as subject to a specific combined exemption unless a court  
35 has issued a declaratory judgment that the debtor is not legally  
36 entitled to claim the combined exemption at issue.

37 (4) (a) Beginning April 2026, and each April on a three-year  
38 interval thereafter, the department of revenue must adjust the  
39 applicable amounts for the following three-year interval by  
40 multiplying the current applicable amounts by one plus the percentage

1 by which the most current consumer price index available on January  
2 31st of the year of such April exceeds the consumer price index for  
3 the prior three-year period, and rounding the result to the nearest  
4 \$25. If an adjustment under this subsection (4) would reduce the  
5 applicable amounts under this section, the department of revenue must  
6 not adjust the applicable amounts for use in the three-year interval.  
7 The department of revenue must publish the adjusted applicable  
8 amounts on its public website by April 1st of the first year of the  
9 three-year interval in which the applicable amounts are adjusted. The  
10 adjusted applicable amounts calculated under this subsection (4) take  
11 effect on April 1st of the calendar year in which they are adjusted  
12 under this subsection (4).

13 (b) For purposes of this subsection (4):

14 (i) "Applicable amounts" means each dollar amount in effect under  
15 this section.

16 (ii) "Consumer price index" means the consumer price index  
17 seasonally adjusted for all urban consumers, all items, for the  
18 United States as calculated by the United States bureau of labor  
19 statistics or its successor agency.

20 **Sec. 2.** RCW 6.15.010 and 2019 c 371 s 3 are each amended to read  
21 as follows:

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

24 (a) All wearing apparel of every individual and family, but not  
25 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in  
26 furs, jewelry, and personal ornaments for any individual.

27 (b) All private libraries including electronic media, which  
28 includes audiovisual, entertainment, or reference media in digital or  
29 analogue format, of every individual, but not to exceed (~~three~~  
30 ~~thousand five hundred dollars~~) \$3,500 in value, and all family  
31 pictures and keepsakes.

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

33 (d) To each individual or, as to community property of spouses  
34 maintaining a single household as against a creditor of the  
35 community, to the community, provided that each spouse is entitled to  
36 his or her own exemptions in this subsection (1)(d):

37 (i) (~~The individual's or community's~~) All household goods,  
38 appliances, furniture, and home and yard equipment, not to exceed  
39 (~~six thousand five hundred dollars~~) \$6,500 in value for the

1 individual (~~or thirteen thousand dollars for the community, no~~  
2 ~~single item to exceed seven hundred fifty dollars~~), said amount to  
3 include provisions and fuel for (~~the~~) comfortable maintenance (~~of~~  
4 ~~the individual or community~~);

5 (ii) In a bankruptcy case, any other personal property, except  
6 personal earnings as provided under RCW 6.15.050(1), not to exceed  
7 \$10,000 in value. The value shall be determined as of the date the  
8 bankruptcy petition is filed;

9 (iii) Other than in a bankruptcy case as described in (d)(ii) of  
10 this subsection, other personal property, except personal earnings as  
11 provided under RCW 6.15.050(1), not to exceed (~~three thousand~~  
12 dollars)) \$3,000 in value, (~~of which not more than one thousand five~~  
13 hundred dollars in value may consist of cash, and)) of which not more  
14 than:

15 (A) For all debts except private student loan debt and consumer  
16 debt, (~~five hundred dollars~~) \$500 in value may consist of bank  
17 accounts, savings and loan accounts, stocks, bonds, or other  
18 securities. The maximum exemption under this subsection (1)(d)  
19 (~~(ii)~~) (iii)(A) may not exceed (~~five hundred dollars~~) \$500,  
20 regardless of the number of existing separate bank accounts, savings  
21 and loan accounts, stocks, bonds, or other securities.

22 (B) For all private student loan debt, (~~two thousand five~~  
23 ~~hundred dollars~~) \$2,500 in value may consist of bank accounts,  
24 savings and loan accounts, stocks, bonds, or other securities. The  
25 maximum exemption under this subsection (1)(d) (~~(ii)~~) (iii)(B) may  
26 not exceed (~~two thousand five hundred dollars~~) \$2,500, regardless  
27 of the number of existing separate bank accounts, savings and loan  
28 accounts, stocks, bonds, or other securities.

29 (C) For all consumer debt, (~~two thousand dollars~~) \$2,000 in  
30 value may consist of bank accounts, savings and loan accounts,  
31 stocks, bonds, or other securities. The maximum exemption under this  
32 subsection (1)(d) (~~(ii)~~) (iii)(C) may not exceed (~~two thousand~~  
33 ~~dollars~~) \$2,000, regardless of the number of existing separate bank  
34 accounts, savings and loan accounts, stocks, bonds, or other  
35 securities;

36 (~~(iii) For an individual, a~~) (iv) A motor vehicle (~~used for~~  
37 ~~personal transportation,~~) not to exceed (~~three thousand two hundred~~  
38 ~~fifty dollars or for a community two motor vehicles used for personal~~  
39 ~~transportation, not to exceed six thousand five hundred dollars~~)  
40 \$15,000 in aggregate value;

1       ~~((iv))~~ (v) Any past due, current, or future child support paid  
2 or owed to the debtor, which can be traced;

3       ~~((v))~~ (vi) All professionally prescribed health aids for the  
4 debtor or a dependent of the debtor; ~~(and~~

5       ~~(vi))~~ (vii) To any individual, the right to or proceeds of a  
6 payment not to exceed twenty thousand dollars on account of personal  
7 bodily injury, not including pain and suffering or compensation for  
8 actual pecuniary loss, of the debtor or an individual of whom the  
9 debtor is a dependent; or the right to or proceeds of a payment in  
10 compensation of loss of future earnings of the debtor or an  
11 individual of whom the debtor is or was a dependent, to the extent  
12 reasonably necessary for the support of the debtor and any dependent  
13 of the debtor; and

14       (viii) In a bankruptcy case, the right to or proceeds of personal  
15 injury of the debtor or an individual of whom the debtor is a  
16 dependent; or the right to or proceeds of a payment in compensation  
17 of loss of future earnings of the debtor or an individual of whom the  
18 debtor is or was a dependent are free of the enforcement of the  
19 claims of creditors, except to the extent such claims are for the  
20 satisfaction of any liens or subrogation claims arising out of the  
21 claims for personal injury or death. The exemption under this  
22 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the  
23 state of Washington, or any agent or assignee of the state, as a  
24 lienholder or subrogee under RCW 43.20B.060.

25       (e) ~~((To each qualified individual, one of the following~~  
26 ~~exemptions:~~

27       ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~  
28 ~~equipment, supplies and seed, not to exceed ten thousand dollars in~~  
29 ~~value;~~

30       ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~  
31 ~~other professional person, the individual's library, office~~  
32 ~~furniture, office equipment and supplies, not to exceed ten thousand~~  
33 ~~dollars in value;~~

34       ~~(iii))~~ To any ~~((other))~~ individual, the tools ~~((and))~~,  
35 instruments ~~((and))~~, materials, and supplies used to carry on his or  
36 her trade ~~((for the support of himself or herself or family,))~~ not to  
37 exceed ~~((ten thousand dollars))~~ \$15,000 in value.

38       (f) Tuition units, under chapter 28B.95 RCW, purchased more than  
39 two years prior to the date of a bankruptcy filing or court judgment,  
40 and contributions to any other qualified tuition program under 26

1 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and  
2 to a Coverdell education savings account, also known as an education  
3 individual retirement account, under 26 U.S.C. Sec. 530 of the  
4 internal revenue code of 1986, as amended, contributed more than two  
5 years prior to the date of a bankruptcy filing or court judgment.

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

10 (3) (a) In the case of married persons, each spouse is entitled to  
11 the exemptions provided in this section, which may be combined with  
12 the other spouse's exemption in the same property or taken in  
13 different exempt property.

14 (b) Whenever a debtor claims a combined exemption with their  
15 spouse, a creditor may serve on the debtor a written demand for  
16 evidence that the debtor is married and their spouse has agreed to  
17 the combined exemption. The demand must expressly and clearly state  
18 the debtor has 30 days to send the creditor a response by mail or  
19 email, the specific mailing or email address the debtor must send a  
20 response to, and that the debtor may establish the existence of their  
21 marriage through documentary evidence such as a copy of their  
22 marriage certificate or an equivalent document, and may establish  
23 each spouse's agreement to combine exemptions with a written  
24 declaration given under penalty of perjury that has been signed by  
25 both spouses. The creditor shall provide the debtor with a one-page  
26 form declaration for this purpose with its demand for evidence.

27 (c) If the debtor fails to timely respond to the creditor's  
28 demand, or the creditor concludes in good faith on the basis of the  
29 debtor's response that the debtor is not married or their spouse has  
30 not consented to combine exemptions, the creditor may seek a  
31 declaratory judgment pursuant to chapter 7.24 RCW, from the superior  
32 court of the county in which the debtor resides or from the court  
33 wherein the exemption claim is at issue, that the debtor is not  
34 legally entitled to claim a combined exemption. If the court finds a  
35 combined exemption was claimed in bad faith, the court may award  
36 costs and attorneys' fees to the creditor. If the court finds the  
37 creditor objected to the combined exemption or sought declaratory  
38 judgment in bad faith, the court may award costs and reasonable  
39 attorneys' fees to the debtor. A creditor shall not seek to execute,  
40 attach, garnish, or otherwise collect funds or property a debtor has



1 claimed as subject to a specific combined exemption unless a court  
2 has issued a declaratory judgment that the debtor is not legally  
3 entitled to claim the combined exemption at issue.

4 (4) (a) Beginning April 2026, and each April on a three-year  
5 interval thereafter, the department of revenue must adjust the  
6 applicable amounts for the following three-year interval by  
7 multiplying the current applicable amounts by one plus the percentage  
8 by which the most current consumer price index available on January  
9 31st of the year of such April exceeds the consumer price index for  
10 the prior three-year period, and rounding the result to the nearest  
11 \$25. If an adjustment under this subsection (4) would reduce the  
12 applicable amounts under this section, the department of revenue must  
13 not adjust the applicable amounts for use in the three-year interval.  
14 The department of revenue must publish the adjusted applicable  
15 amounts on its public website by April 1st of the first year of the  
16 three-year interval in which the applicable amounts are adjusted. The  
17 adjusted applicable amounts calculated under this subsection (4) take  
18 effect on April 1st of the calendar year in which they are adjusted  
19 under this subsection (4).

20 (b) For purposes of this subsection (4):

21 (i) "Applicable amounts" means each dollar amount in effect under  
22 this section.

23 (ii) "Consumer price index" means the consumer price index  
24 seasonally adjusted for all urban consumers, all items, for the  
25 United States as calculated by the United States bureau of labor  
26 statistics or its successor agency.

27 **Sec. 3.** RCW 51.32.040 and 2013 c 125 s 6 are each amended to  
28 read as follows:

29 (1) Except as provided in RCW 43.20B.720, 72.09.111, 74.20A.260,  
30 and 51.32.380, no money paid or payable under this title shall,  
31 ~~((before the issuance and delivery of the payment,))~~ be assigned,  
32 charged, or taken in execution, attached, garnished, or pass or be  
33 paid to any other person by operation of law, any form of voluntary  
34 assignment, or power of attorney. Any such assignment or charge is  
35 void unless the transfer is to a financial institution at the request  
36 of a worker or other beneficiary and made in accordance with RCW  
37 51.32.045. Payments retain their exempt status even after issuance.

38 (2) (a) If any worker suffers (i) a permanent partial injury and  
39 dies from some other cause than the accident which produced the

1 injury before he or she receives payment of the award for the  
2 permanent partial injury or (ii) any other injury before he or she  
3 receives payment of any monthly installment covering any period of  
4 time before his or her death, the amount of the permanent partial  
5 disability award or the monthly payment, or both, shall be paid to  
6 the surviving spouse or the child or children if there is no  
7 surviving spouse. If there is no surviving spouse and no child or  
8 children, the award or the amount of the monthly payment shall be  
9 paid by the department or self-insurer and distributed consistent  
10 with the terms of the decedent's will or, if the decedent dies  
11 intestate, consistent with the terms of RCW 11.04.015.

12 (b) If any worker suffers an injury and dies from it before he or  
13 she receives payment of any monthly installment covering time loss  
14 for any period of time before his or her death, the amount of the  
15 monthly payment shall be paid to the surviving spouse or the child or  
16 children if there is no surviving spouse. If there is no surviving  
17 spouse and no child or children, the amount of the monthly payment  
18 shall be paid by the department or self-insurer and distributed  
19 consistent with the terms of the decedent's will or, if the decedent  
20 dies intestate, consistent with the terms of RCW 11.04.015.

21 (c) Any application for compensation under this subsection (2)  
22 shall be filed with the department or self-insuring employer within  
23 one year of the date of death. The department or self-insurer may  
24 satisfy its responsibilities under this subsection (2) by sending any  
25 payment due in the name of the decedent and to the last known address  
26 of the decedent.

27 (3)(a) Any worker or beneficiary receiving benefits under this  
28 title who is subsequently confined in, or who subsequently becomes  
29 eligible for benefits under this title while confined in, any  
30 institution under conviction and sentence shall have all payments of  
31 the compensation canceled during the period of confinement. After  
32 discharge from the institution, payment of benefits due afterward  
33 shall be paid if the worker or beneficiary would, except for the  
34 provisions of this subsection (3), otherwise be entitled to them.

35 (b) If any prisoner is injured in the course of his or her  
36 employment while participating in a work or training release program  
37 authorized by chapter 72.65 RCW and is subject to the provisions of  
38 this title, he or she is entitled to payments under this title,  
39 subject to the requirements of chapter 72.65 RCW, unless his or her  
40 participation in the program has been canceled, or unless he or she

1 is returned to a state correctional institution, as defined in RCW  
2 72.65.010(3), as a result of revocation of parole or new sentence.

3 (c) If the confined worker has any beneficiaries during the  
4 confinement period during which benefits are canceled under (a) or  
5 (b) of this subsection, they shall be paid directly the monthly  
6 benefits which would have been paid to the worker for himself or  
7 herself and the worker's beneficiaries had the worker not been  
8 confined.

9 (4) Any lump sum benefits to which a worker would otherwise be  
10 entitled but for the provisions of this section shall be paid on a  
11 monthly basis to his or her beneficiaries.

12 **Sec. 4.** RCW 6.27.100 and 2021 c 50 s 3 are each amended to read  
13 as follows:

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

17 (a) If the writ is issued under an order or judgment for child  
18 support, the following statement shall appear conspicuously in the  
19 caption: "This garnishment is based on a judgment or order for child  
20 support";

21 (b) If the writ is issued under an order or judgment for private  
22 student loan debt, the following statement shall appear conspicuously  
23 in the caption: "This garnishment is based on a judgment or order for  
24 private student loan debt";

25 (c) If the writ is issued under an order or judgment for consumer  
26 debt, the following statement shall appear conspicuously in the  
27 caption: "This garnishment is based on a judgment or order for  
28 consumer debt"; and

29 (d) If the writ is issued by an attorney, the writ shall be  
30 revised as indicated in subsection (2) of this section:

31 "IN THE ..... COURT  
32 OF THE STATE OF WASHINGTON IN AND FOR  
33 THE COUNTY OF .....

34 ..... ,  
35 Plaintiff, No. ....

36 vs.  
37 ..... , WRIT OF

38 Defendant, GARNISHMENT

1 ..... ,  
 2 Garnishee  
 3 THE STATE OF WASHINGTON TO: .....  
 4 Garnishee  
 5 AND TO: .....  
 6 Defendant

7 The above-named plaintiff has applied for a writ of  
 8 garnishment against you, claiming that the above-named  
 9 defendant is indebted to plaintiff and that the amount to  
 10 be held to satisfy that indebtedness is \$ . . . . . ,  
 11 consisting of:

12	Balance on Judgment or Amount of Claim	\$....
13	Interest under Judgment from .... to ....	\$....
14	Per Day Rate of Estimated Interest	\$....
15		per day
16	Taxable Costs and Attorneys' Fees	\$....
17	Estimated Garnishment Costs:	
18	Filing and Ex Parte Fees	\$....
19	Service and Affidavit Fees	\$....
20	Postage and Costs of Certified Mail	\$....
21	Answer Fee or Fees	\$....
22	Garnishment Attorney Fee	\$....
23	Other	\$....

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

34 YOU ARE FURTHER COMMANDED to answer this writ according to the  
 35 instructions in this writ and in the answer forms and, within twenty  
 36 days after the service of the writ upon you, to mail or deliver the

1 original of such answer to the court, one copy to the plaintiff or  
2 the plaintiff's attorney, and one copy to the defendant, at the  
3 addresses listed at the bottom of this writ.

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

8 FOR ALL DEBTS EXCEPT PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

9 If you are a bank or other institution in which the defendant has  
10 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~  
11 (iii)(A) applies and the total of the amounts held in all of the  
12 defendant's accounts is less than or equal to \$500, release all funds  
13 or property to the defendant and do not hold any amount. However, if  
14 you have documentation that the funds in the account are the  
15 community property of married persons or domestic partners, and if  
16 the total of the amounts held in all of the combined accounts of the  
17 married persons or domestic partners is less than or equal to \$1,000,  
18 then release all funds or property to the defendant and do not hold  
19 any amount.

20 If you are a bank or other institution in which the defendant has  
21 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~  
22 (iii)(A) applies and the total of the amounts held in all of the  
23 defendant's accounts is in excess of \$500, release at least \$500,  
24 hold no more than the amount set forth in the first paragraph of this  
25 writ and any processing fee if one is charged, and release additional  
26 funds or property, if any, to the defendant. However, if you have  
27 documentation that the funds in the account are the community  
28 property of married persons or domestic partners, and if the total of  
29 the amounts held in all of the combined accounts of the married  
30 persons or domestic partners is in excess of \$1,000, release at least  
31 \$1,000, hold no more than the amount set forth in the first paragraph  
32 of this writ and any processing fee if one is charged, and release  
33 additional funds or property, if any, to the defendant.

34 FOR PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

35 If you are a bank or other institution in which the defendant has  
36 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~  
37 (iii) (B) or (C) applies and the total of the amounts held in all of  
38 the defendant's accounts is less than or equal to \$1,000, release all  
39 funds or property to the defendant and do not hold any amount.  
40 However, if you have documentation that the funds in the account are

1 the community property of married persons or domestic partners, and  
2 if the total of the amounts held in all of the combined accounts of  
3 the married persons or domestic partners is less than or equal to  
4 \$2,000, then release all funds or property to the defendant and do  
5 not hold any amount.

6 If you are a bank or other institution in which the defendant has  
7 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii))~~  
8 (iii) (B) or (C) applies and the total of the amounts held in all of  
9 the defendant's accounts is in excess of \$1,000, release at least  
10 \$1,000, hold no more than the amount set forth in the first paragraph  
11 of this writ and any processing fee if one is charged, and release  
12 additional funds or property, if any, to the defendant. However, if  
13 you have documentation that the funds in the account are the  
14 community property of married persons or domestic partners, and if  
15 the total of the amounts held in all of the combined accounts of the  
16 married persons or domestic partners is in excess of \$2,000, release  
17 at least \$2,000, hold no more than the amount set forth in the first  
18 paragraph of this writ and any processing fee if one is charged, and  
19 release additional funds or property, if any, to the defendant.

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

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

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

32 [Seal]

33 .....  
34 Attorney for Clerk of  
35 Plaintiff(or the Court  
36 Plaintiff, if no  
37 attorney)  
38 .....

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

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

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

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

24 **Sec. 5.** RCW 6.27.140 and 2021 c 35 s 2 are each amended to read  
25 as follows:

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

29 NOTICE OF GARNISHMENT  
30 AND OF YOUR RIGHTS

31 A Writ of Garnishment issued in a Washington court has been  
32 or will be served on the garnishee named in the attached copy  
33 of the writ. After receipt of the writ, the garnishee is  
34 required to withhold payment of any money that was due to you  
35 and to withhold any other property of yours that the

1 garnishee held or controlled. This notice of your rights is  
2 required by law.

3 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

4 WAGES. If the garnishee is your employer who owes wages or  
5 other personal earnings to you, your employer is required to  
6 pay amounts to you that are exempt under state and federal  
7 laws, as explained in the writ of garnishment. You should  
8 receive a copy of your employer's answer, which will show how  
9 the exempt amount was calculated. A garnishment against wages  
10 or other earnings for child support may not be issued under  
11 chapter 6.27 RCW. If the garnishment is for private student  
12 loan debt, the exempt amount paid to you will be the greater  
13 of the following: A percent of your disposable earnings,  
14 which is eighty-five percent of the part of your earnings  
15 remaining after your employer deducts those amounts which are  
16 required by law to be withheld, or fifty times the minimum  
17 hourly wage of the highest minimum wage law in the state at  
18 the time the earnings are payable. If the garnishment is for  
19 consumer debt, the exempt amount paid to you will be the  
20 greater of the following: A percent of your disposable  
21 earnings, which is eighty percent of the part of your  
22 earnings remaining after your employer deducts those amounts  
23 which are required by law to be withheld, or thirty-five  
24 times the state minimum hourly wage.

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



1 OTHER EXEMPTIONS. If the garnishee holds other property of  
2 yours, some or all of it may be exempt under RCW 6.15.010, a  
3 Washington statute that exempts certain property of your  
4 choice (including, if the judgment is for private student  
5 loan debt, up to \$2,500.00 in a bank account (~~(if you owe on~~  
6 ~~private student loan debts;)~~), or for a marital community or  
7 domestic partnership up to \$5,000.00 in a bank account; if  
8 the judgment is for other consumer debt, up to \$2,000.00 in a  
9 bank account (~~(if you owe on consumer debts; or)~~), or for a  
10 marital community or domestic partnership up to \$4,000.00 in  
11 a bank account; or, if the judgment is for any other debts,  
12 up to \$500.00 in a bank account (~~(for all other debts)~~), or  
13 for a marital community or domestic partnership up to  
14 \$1,000.00 in a bank account) and certain other property such  
15 as household furnishings, tools of trade, and a motor vehicle  
16 (all limited by differing dollar values).

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

27 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,  
28 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,  
29 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY  
30 DELAY.

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

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

1 Name of Court

2 ..... No .....

3 Plaintiff,

4 vs.

5 ..... EXEMPTION CLAIM

6 Defendant,

7 Garnishee Defendant

8 INSTRUCTIONS:

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

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

27 IF BANK ACCOUNT IS GARNISHED:

28 [ ] The account contains payments from:

29 [ ] Temporary assistance for needy families, SSI, or  
30 other public assistance. I receive \$ . . . . .  
31 monthly.

32 [ ] Social Security. I receive \$ . . . . . monthly.

33 [ ] Veterans' Benefits. I receive \$ . . . . . monthly.

34 [ ] Federally qualified pension, such as a state or  
35 federal pension, individual retirement account  
36 (IRA), or 401K plan. I receive \$ . . . . . monthly.

- 1 [ ] Unemployment Compensation. I receive \$ . . . . .  
2 monthly.  
3 [ ] Child support. I receive \$ . . . . . monthly.  
4 [ ] Other. Explain . . . . .  
5 (~~[ ] \$2,500 exemption for private student loan debts.~~  
6 ~~[ ] \$2,000 exemption for consumer debts.~~  
7 ~~[ ] \$500 exemption for all other debts.~~)

8 [ ] I/We claim the following exemptions:

9 [ ] Exemption for private student loan debts:

10 [ ] \$2,500 for an individual; or

11 [ ] \$5,000 for a marital community or domestic  
12 partnership.

13 [ ] Exemption for consumer debts:

14 [ ] \$2,000 for an individual; or

15 [ ] \$4,000 for a marital community or domestic  
16 partnership.

17 [ ] Exemption for all other debts:

18 [ ] \$500 for an individual; or

19 [ ] \$1,000 for a marital community or domestic  
20 partnership.

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

23 [ ] No money other than from above payments are in  
24 the account.

25 [ ] Moneys in addition to the above payments have  
26 been deposited in the account. Explain . . . . .  
27 . . . . .  
28 . . . . .

29 OTHER PROPERTY:

30 [ ] Describe property . . . . .  
31 . . . . .

32 (If you claim other personal property as exempt,  
33 you must attach a list of all other personal property  
34 that you own.)  
35 . . . . .

1	Print: Your name	If married or in a state
2		registered domestic
3		partnership,
4		name of husband/wife/
5		state registered domestic
6		partner
7	.....	.....
8	Your signature	Signature of husband,
9		wife, or state registered
10		domestic partner
11	.....	.....
12	.....	.....
13	Address	Address
14		(if different from yours)
15	.....	.....
16	Telephone number	Telephone number
17		(if different from yours)

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

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

28 (b) If the writ is directed to an employer to garnish earnings,  
29 the claim form required by RCW 6.27.130(1) to be mailed to or served  
30 on an individual judgment debtor shall be in the following form,  
31 printed or typed in no smaller than size twelve point font type:

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

34 .....

35 Name of Court

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..... 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.
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 PRIVATE STUDENT LOAN DEBT:

[ ] I claim maximum exemption.  
IF EARNINGS ARE GARNISHED FOR CONSUMER 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 private student loan debt, the exemption language pertaining to private student loan debt may be omitted.

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

1        NEW SECTION.    **Sec. 6.**    Sections 1 and 4 of this act expire July  
2 1, 2025.

3        NEW SECTION.    **Sec. 7.**    Section 2 of this act takes effect July 1,  
4 2025."

5        Correct the title.

EFFECT: • Provides that, if a debtor claims a combined exemption with their spouse, a creditor may demand evidence that the debtor is married and the spouse has consented to combine exemptions. Establishes a procedural framework for an evidentiary demand, response, and request for declaratory judgment. Prohibits creditors from seeking to execute, attach, garnish, or otherwise collect funds or property a debtor has claimed as subject to a specific combined exemption unless a court has issued a declaratory judgment that the debtor is not legally entitled to claim the combined exemption at issue. Provides for cost and fee shifting in the event of a bad faith combined exemption claim, bad faith objection to such claim, or bad faith request for declaratory judgment.

• Modifies the garnishment notice sent to garnishees by instructing the garnishee to double automatic exemption values for specified funds if the garnishee has documentation that the funds in the account are the community property of married persons or domestic partners.

• Modifies the garnishment exemption notice and form sent to debtors by stating and listing the doubled value of specific exemption maximums for spouses who combine their exemptions.

--- END ---