

**ESSB 5173** - H AMD TO CRJ COMM AMD (H-1780.2/23) **597**  
By Representative Hansen

**ADOPTED 04/07/2023**

1 On page 4, beginning on line 3, after "(3)" strike all material  
2 through "issue" on line 36 and insert "In the case of married  
3 persons, each spouse is entitled to the exemptions provided in this  
4 section, which may be combined with the other spouse's exemption in  
5 the same property or taken in different exempt property"

6 Beginning on page 4, line 37, strike all of subsection (4)

7 Beginning on page 8, line 10, after "(3)" strike all material  
8 through "issue" on page 9, line 3 and insert "In the case of married  
9 persons, each spouse is entitled to the exemptions provided in this  
10 section, which may be combined with the other spouse's exemption in  
11 the same property or taken in different exempt property"

12 On page 9, beginning on line 4, strike all of subsection (4)

13 On page 19, after line 20, insert the following:

14 "[ ] I declare under penalty of perjury under the laws  
15 of the State of Washington that I am a married  
16 person and that I wish to use the marital  
17 exemptions."

18 On page 20, beginning on line 7, strike all material through  
19 "partner" on line 10 and insert

20 "((.....  
21 Your signature Signature of husband,  
22 wife, or state registered  
23 domestic partner))"

24 On page 20, after line 17, insert the following:

25 "....  
26 Your signature"

1 On page 22, beginning on line 8, strike all material through  
2 "partner" on line 11 and insert

3 "((.....  
4 ~~Your signature~~ Signature of husband,  
5 wife, or state registered  
6 domestic partner))"

7 On page 22, after line 18, insert the following:

8 "....  
9 Your signature"

EFFECT: Makes the following changes to the striking amendment:

(1) Removes provisions requiring a debtor claiming combined exemptions with a spouse to provide, at the creditor's demand, documentary evidence of their marriage and the spouse's consent to use of the combined exemption.

(2) Removes provisions allowing a creditor to file a separate action seeking declaratory judgment that a debtor is not entitled to claim a combined exemption.

(3) Removes provisions authorizing courts to award costs and attorneys' fees in response to bad faith combined exemption claims, objections, and actions seeking declaratory judgment.

(4) Modifies the garnishment exemption forms by adding a section allowing a debtor to declare under penalty of perjury they are married and wish to use a marital exemption, by removing the signature line for a spouse, and by moving the debtor's signature line to the end of each form.

(5) Removes provisions requiring an automatic adjustment of exemption amounts every three years based on the Consumer Price Index.

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