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**SENATE BILL 5392**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Schoesler and Pedersen

Read first time 01/16/23. Referred to Committee on Law & Justice.

1 AN ACT Relating to overpayments for certain matters; and amending  
2 RCW 63.30.270.

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

4 **Sec. 1.** RCW 63.30.270 and 2022 c 225 s 406 are each amended to  
5 read as follows:

6 (1) A local government holding abandoned intangible property that  
7 is not forwarded to the department of revenue in subsection (2) of  
8 this section is not required to maintain current records of this  
9 property for longer than five years after the property is presumed  
10 abandoned, and at that time may archive records of this intangible  
11 property and transfer the intangible property to its general fund.  
12 However, the local government remains liable to pay the intangible  
13 property to a person or entity subsequently establishing its  
14 ownership of this intangible property.

15 (2) Counties, cities, towns, and other municipal and quasi-  
16 municipal corporations that hold funds representing warrants canceled  
17 pursuant to RCW 36.22.100 and 39.56.040, uncashed checks, and  
18 property tax overpayments or refunds may retain the funds until the  
19 owner notifies them and establishes ownership as provided in this  
20 chapter. Counties, cities, towns, or other municipal and quasi-  
21 municipal corporations must provide to the administrator a report of

1 property it is holding pursuant to this section. The report must  
2 identify the property and owner in the manner provided in this  
3 section and RCW 63.30.220 through 63.30.260 and the administrator  
4 must publish the information as provided in RCW 63.30.300.

5 (3) Courts may retain overpayments made in connection with any  
6 litigation, including traffic, criminal, and noncriminal matters, for  
7 amounts less than or equal to \$10. These overpayments shall be  
8 remitted by the clerk of the court to the local treasurer for deposit  
9 in the local current expense fund.

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