

HOUSE BILL REPORT

SSB 5166

As Passed House:

April 6, 1995

Title: An act relating to judgments.

Brief Description: Regarding the renewal of judgments and the extension of judgment liens.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senator Smith).

Brief History:

Committee Activity:

Law & Justice: 3/24/95, 3/31/95 [DP].

Floor Activity:

Passed House: 4/6/95, 95-0.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 15 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Smith; Thibaudeau and Veloria.

Minority Report: Do not pass. Signed by 1 member: Representative Carrell.

Staff: Edie Adams (786-7180).

Background: A lien is an interest or encumbrance against the property of another to secure payment of a debt or obligation. Under current law, a person who obtains a money judgment in a court proceeding has a lien on the real estate of the judgment debtor. This lien expires 10 years after the date of entry of judgment.

A person may have an execution issued for the collection or enforcement of the judgment at any time within 10 years of entry of the judgment. In 1994, the Legislature amended this law to provide that the period during which an execution may be made may be extended for an additional 10 years upon application by the judgment creditor. However, the provision stating that a judgment lien expires after 10 years was not amended to allow for the extension of the lien if the period for execution has been extended.

Summary of Bill: A lien based upon an underlying court judgment continues in force for an additional 10 years if the period of execution for the underlying judgment is extended.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill simply corrects an oversight in previous legislation that authorized the extension of a court judgment for an additional 10 years but did not authorize the extension of a judgment lien for an additional 10 years.

Testimony Against: None.

Testified: Claudia Etzler, Washington State Collectors Association (pro).