

1 1599 AMS COST S2791.1

2 **HB 1599** - S AMD - 381

3 By Senators Costa, Sheahan, Kline, McCaslin and Heavey

4 RULED BEYOND SCOPE & OBJECT; 4/14/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330
8 RCW to read as follows:

9 Counties may submit a petition for relief to the office of public
10 defense for reimbursement of extraordinary criminal justice costs.
11 Extraordinary criminal justice costs are defined as those associated
12 with investigation, prosecution, indigent defense, jury impanelment,
13 expert witnesses, interpreters, incarceration, and other adjudication
14 costs of aggravated murder cases.

15 (1) The office of public defense, in consultation with the
16 Washington association of prosecuting attorneys and the Washington
17 association of sheriffs and police chiefs, shall develop procedures for
18 processing the petitions, for auditing the veracity of the petitions,
19 and for prioritizing the petitions. Prioritization of the petitions
20 shall be based on, but not limited to, such factors as disproportionate
21 fiscal impact relative to the county budget, efficient use of
22 resources, and whether the costs are extraordinary and could not be
23 reasonably accommodated and anticipated in the normal budget process.

24 (2) Before January 1st of each year, the office of public defense,
25 in consultation with the Washington association of prosecuting
26 attorneys and the Washington association of sheriffs and police chiefs,
27 shall develop and submit to the appropriate fiscal committees of the
28 senate and house of representatives a prioritized list of submitted
29 petitions that are recommended for funding by the legislature.

30 **Sec. 2.** RCW 27.24.070 and 1992 c 54 s 6 are each amended to read
31 as follows:

32 In each county pursuant to this chapter, the county treasurer shall
33 deposit in the county or regional law library fund a sum equal to
34 twelve dollars for every new probate or civil filing fee, including
35 appeals, collected by the clerk of the superior court and six dollars

1 for every fee collected for the commencement of a civil action in
2 district court for the support of the law library in that county or the
3 regional law library to which the county belongs: PROVIDED, That upon
4 a showing of need the twelve dollar contribution may be increased up to
5 fifteen dollars upon the request of the law library board of trustees
6 and with the approval of the county legislative body or bodies: AND
7 PROVIDED FURTHER, That in each county, upon a showing of need by the
8 law library board of trustees, a county legislative body or bodies may
9 impose an additional surcharge not to exceed the maximum amount
10 established in this section for every new probate or civil filing in
11 superior court and an additional surcharge not to exceed the maximum
12 amount established in this section for every fee collected for the
13 commencement of a civil action in district court for the purpose of
14 funding the county law library. Any surcharge imposed shall be
15 collected by the clerk of the court and remitted to the county
16 treasurer for deposit in the county or regional law library fund.

17 **Sec. 3.** RCW 36.18.016 and 1996 c 56 s 5 are each amended to read
18 as follows:

19 (1) Revenue collected under this section is not subject to division
20 under RCW 36.18.025 or 27.24.070.

21 (2) For the filing of a petition for modification of a decree of
22 dissolution or paternity, within the same case as the original action,
23 a fee of twenty dollars must be paid.

24 (3)(a) The party making a demand for a jury of six in a civil
25 action shall pay, at the time, a fee of (~~fifty~~) one hundred twenty-
26 five dollars; if the demand is for a jury of twelve, a fee of (~~one~~)
27 two hundred fifty dollars. If, after the party demands a jury of six
28 and pays the required fee, any other party to the action requests a
29 jury of twelve, an additional (~~fifty-dollar~~) one hundred twenty-five
30 dollar fee will be required of the party demanding the increased number
31 of jurors.

32 (b) Upon conviction in criminal cases a jury demand charge of fifty
33 dollars for a jury of six, or one hundred dollars for a jury of twelve
34 may be imposed as costs under RCW 10.46.190.

35 (4) For preparing, transcribing, or certifying an instrument on
36 file or of record in the clerk's office, with or without seal, for the
37 first page or portion of the first page, a fee of two dollars, and for
38 each additional page or portion of a page, a fee of one dollar must be

1 charged. For authenticating or exemplifying an instrument, a fee of
2 one dollar for each additional seal affixed must be charged.

3 (5) For executing a certificate, with or without a seal, a fee of
4 two dollars must be charged.

5 (6) For a garnishee defendant named in an affidavit for garnishment
6 and for a writ of attachment, a fee of twenty dollars must be charged.

7 (7) For approving a bond, including justification on the bond, in
8 other than civil actions and probate proceedings, a fee of two dollars
9 must be charged.

10 (8) For the issuance of a certificate of qualification and a
11 certified copy of letters of administration, letters testamentary, or
12 letters of guardianship, there must be a fee of two dollars.

13 (9) For the preparation of a passport application, the clerk may
14 collect an execution fee as authorized by the federal government.

15 (10) For clerk's special services such as processing ex parte
16 orders by mail, performing historical searches, compiling statistical
17 reports, and conducting exceptional record searches, the clerk may
18 collect a fee not to exceed twenty dollars per hour or portion of an
19 hour.

20 (11) For duplicated recordings of court's proceedings there must be
21 a fee of ten dollars for each audio tape and twenty-five dollars for
22 each video tape.

23 (12) For the filing of oaths and affirmations under chapter 5.28
24 RCW, a fee of twenty dollars must be charged.

25 (13) For filing a disclaimer of interest under RCW 11.86.031(4), a
26 fee of two dollars must be charged.

27 (14) For registration of land titles, Torrens Act, under RCW
28 65.12.780, a fee of five dollars must be charged.

29 (15) For the issuance of extension of judgment under RCW 6.17.020
30 and chapter 9.94A RCW, a fee of one hundred ten dollars must be
31 charged.

32 (16) A facilitator surcharge of ten dollars must be charged as
33 authorized under RCW 26.12.240.

34 (17) For filing a water rights statement under RCW 90.03.180, a fee
35 of twenty-five dollars must be charged.

36 (18) For filing a warrant for overpayment of state retirement
37 systems benefits under chapter 41.50 RCW, a fee of five dollars shall
38 be charged pursuant to RCW 41.50.136.

1 (19) A service fee of three dollars for the first page and one
2 dollar for each additional page must be charged for receiving faxed
3 documents, pursuant to Washington state rules of court, general rule
4 17.

5 (20) For preparation of clerk's papers under RAP 9.7, a fee of
6 fifty cents per page must be charged.

7 (21) For copies and reports produced at the local level as
8 permitted by RCW 2.68.020 and supreme court policy, a variable fee must
9 be charged.

10 (22) Investment service charge and earnings under RCW 36.48.090
11 must be charged.

12 (23) Costs for nonstatutory services rendered by clerk by authority
13 of local ordinance or policy must be charged.

14 (24) For filing a request for trial de novo of an arbitration
15 award, a fee not to exceed two hundred fifty dollars as established by
16 authority of local ordinance must be charged."

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20 On page 1, line 1 of the title, after "funding;" strike the
21 remainder of the title and insert "amending RCW 27.24.070 and
22 36.18.016; and adding a new section to chapter 43.330 RCW."

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