

SENATE BILL REPORT

SB 6360

As Passed Senate, February 12, 1998

Title: An act relating to processing fees for writs of garnishments that are not writs for continuing lien on earnings.

Brief Description: Prescribing garnishee's processing fees.

Sponsors: Senators Johnson and Kline.

Brief History:

Committee Activity: Law & Justice: 2/3/98 [DP].

Passed Senate, 2/12/98, 47-1.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, Long, McCaslin, Thibaudeau and Zarelli.

Staff: Aldo Melchiori (786-7439)

Background: The clerks of the superior and district courts may issue writs of garnishment returnable to the courts for the benefit of a judgment creditor who has a judgment wholly or partially unsatisfied in the court from which the garnishment is sought.

A garnishee may deduct up to a \$20 processing fee from the remainder of the debtor's earnings for the first disbursement. If the garnishment is a continuing lien on earnings, a garnishee may also deduct \$10 at the time the garnishee submits the second answer.

Summary of Bill: A garnishee of a writ for a continuing lien on earnings may deduct up to a \$20 processing fee from the remainder of the debtor's earnings for the first answer and \$10 at the time the garnishee submits the second answer.

If the writ is not for a continuing lien on earnings, the garnishee is entitled to a check or money order in the amount of \$20 at the time the writ is served. The required writ forms are amended accordingly to reflect the statutory changes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This bill corrects an oversight passed in 1997. The original statutory language is restored to permit garnishee defendants to recoup part of their administrative costs. Garnishee defendants costs will still exceed the reimbursement amount.

Testimony Against: None.

Testified: Jim Ridick, Washington Collectors Association; Scott Gaspard, Washington Savings and Loan.