H-1669.1

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**HOUSE BILL 2074**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Stanford, Stonier, Appleton, Lytton, Ormsby, Ryu, Peterson, Kagi, Orwall, Senn, and Riccelli

AN ACT Relating to proceedings supplemental to execution of judgments; and amending RCW 6.32.010, 6.32.015, 6.32.140, and 6.32.020.

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

**Sec.**  RCW 6.32.010 and 1994 c 189 s 4 are each amended to read as follows:

At any time within ten years after entry of a judgment for the sum of ((~~twenty-five~~)) five thousand dollars or over, unless the time is extended in accordance with RCW 6.17.020(3), upon application by the judgment creditor such court or judge may, by an order, require the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by the judge, to answer concerning the same((~~; and the judge to whom application is made under this chapter may, if it is made to appear to him or her by the affidavit of the judgment creditor, his or her agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him or her before the judge granting the order. Upon being brought before the judge, he or she may be ordered to enter into a bond, with sufficient sureties, that he or she will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof~~)). If the judgment debtor or other persons against whom the special proceedings are instituted has been served with these proceedings, the plaintiff shall be entitled to costs of service, notary fees, and an appearance fee of twenty-five dollars. If the judgment debtor or other persons fail to answer or appear, the plaintiff shall additionally be entitled to reasonable attorney fees. If a plaintiff institutes special proceedings and fails to appear, a judgment debtor or other person against whom the proceeding was instituted who appears is entitled to an appearance fee of twenty-five dollars and reasonable attorney fees.

**Sec.**  RCW 6.32.015 and 1994 c 189 s 5 are each amended to read as follows:

At any time within ten years after entry of a judgment for a sum of ((~~twenty-five~~)) five thousand dollars or over, unless the time is extended in accordance with RCW 6.17.020(3), upon application by the judgment creditor such court or judge may, by order served on the judgment debtor, require such debtor to answer written interrogatories, under oath, in such form as may be approved by the court. No such creditor shall be required to proceed under this section nor shall he or she waive his or her rights to proceed under RCW 6.32.010 by proceeding under this section.

**Sec.**  RCW 6.32.140 and 2011 c 336 s 157 are each amended to read as follows:

(1) If the judgment debtor fails to answer or appear pursuant to an order under RCW 6.32.010, the judge may order the sheriff to arrest the debtor and bring him or her before the judge granting the order. Upon being brought before the judge, the debtor may be ordered to enter into a bond, with sufficient sureties, that he or she will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof.

(2) The sheriff, when he or she arrests a judgment debtor by virtue of a warrant issued as prescribed in this ((~~chapter~~)) section, must deliver to him or her a copy of the warrant ((~~and of the affidavit upon which it was granted~~)).

**Sec.**  RCW 6.32.020 and 1893 c 133 s 2 are each amended to read as follows:

A warrant issued as prescribed in RCW ((~~6.32.010~~)) 6.32.140 may be vacated or modified by the judge making the same, or by the court out of which the execution was issued, upon giving three days' notice to the opposite party.

**--- END ---**