
HOUSE BILL 1400

State of Washington

68th Legislature

2023 Regular Session

By Representatives Peterson, Simmons, Farivar, Senn, Lekanoff, Berg, and Macri

Read first time 01/18/23. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to property exempt from execution; amending RCW
2 6.15.010, 6.15.010, and 51.32.040; providing an effective date; and
3 providing an expiration date.

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

5 **Sec. 1.** RCW 6.15.010 and 2021 c 50 s 2 are each amended to read
6 as follows:

7 (1) Except as provided in RCW 6.15.050, the following personal
8 property is exempt from execution, attachment, and garnishment:

9 (a) All wearing apparel of every individual and family, but not
10 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in
11 furs, jewelry, and personal ornaments for any individual.

12 (b) All private libraries including electronic media, which
13 includes audiovisual, entertainment, or reference media in digital or
14 analogue format, of every individual, but not to exceed (~~three
15 thousand five hundred dollars~~) \$3,500 in value, and all family
16 pictures and keepsakes.

17 (c) A cell phone, personal computer, and printer.

18 (d) To each individual or, as to community property of spouses
19 maintaining a single household as against a creditor of the
20 community, to the community, provided that each spouse is entitled to
21 his or her own exemptions in this subsection (1)(d):

1 (i) ~~((The individual's or community's))~~ All household goods,
2 appliances, furniture, and home and yard equipment, not to exceed
3 ~~((six thousand five hundred dollars))~~ \$6,500 in value for the
4 individual ~~((or thirteen thousand dollars for the community, no
5 single item to exceed seven hundred fifty dollars))~~, said amount to
6 include provisions and fuel for ~~((the))~~ comfortable maintenance ~~((of
7 the individual or community))~~;

8 (ii) In a bankruptcy case, any other personal property, except
9 personal earnings as provided under RCW 6.15.050(1), not to exceed
10 \$10,000 in value. The value shall be determined as of the date the
11 bankruptcy petition is filed;

12 (iii) Other than in a bankruptcy case as described in (d)(ii) of
13 this subsection, other personal property, except personal earnings as
14 provided under RCW 6.15.050(1), not to exceed ~~((three thousand
15 dollars))~~ \$3,000 in value, ~~((of which not more than one thousand five
16 hundred dollars in value may consist of cash, and))~~ of which not more
17 than:

18 (A) For all debts except private student loan debt and consumer
19 debt, ~~((five hundred dollars))~~ \$500 in value may consist of bank
20 accounts, savings and loan accounts, stocks, bonds, or other
21 securities. The maximum exemption under this subsection (1)(d)
22 ~~((+ii))~~ (iii)(A) shall be automatically protected and may not exceed
23 ~~((five hundred dollars))~~ \$500, regardless of the number of existing
24 separate bank accounts, savings and loan accounts, stocks, bonds, or
25 other securities.

26 (B) For all private student loan debt, ~~((two thousand five
27 hundred dollars))~~ \$2,500 in value may consist of bank accounts,
28 savings and loan accounts, stocks, bonds, or other securities. \$1,000
29 in value shall be automatically protected. The maximum exemption
30 under this subsection (1)(d) ~~((+ii))~~ (iii)(B) may not exceed ~~((two
31 thousand five hundred dollars))~~ \$2,500, regardless of the number of
32 existing separate bank accounts, savings and loan accounts, stocks,
33 bonds, or other securities.

34 (C) For all consumer debt, ~~((two thousand dollars))~~ \$2,000 in
35 value may consist of bank accounts, savings and loan accounts,
36 stocks, bonds, or other securities. \$1,000 in value shall be
37 automatically protected. The maximum exemption under this subsection
38 (1)(d) ~~((+ii))~~ (iii)(C) may not exceed ~~((two thousand dollars))~~
39 \$2,000, regardless of the number of existing separate bank accounts,
40 savings and loan accounts, stocks, bonds, or other securities;

1 ~~((iii) For an individual, a)~~ (iv) A motor vehicle ((used for
2 personal transportation,)) not to exceed ~~((three thousand two hundred~~
3 fifty dollars or for a community two motor vehicles used for personal
4 transportation, not to exceed six thousand five hundred dollars))
5 \$15,000 in aggregate value;

6 ~~((iv))~~ (v) Any past due, current, or future child support paid
7 or owed to the debtor, which can be traced;

8 ~~((v))~~ (vi) All professionally prescribed health aids for the
9 debtor or a dependent of the debtor; ((and

10 ~~(vi))~~ (vii) To any individual, the right to or proceeds of a
11 payment not to exceed twenty thousand dollars on account of personal
12 bodily injury, not including pain and suffering or compensation for
13 actual pecuniary loss, of the debtor or an individual of whom the
14 debtor is a dependent; or the right to or proceeds of a payment in
15 compensation of loss of future earnings of the debtor or an
16 individual of whom the debtor is or was a dependent, to the extent
17 reasonably necessary for the support of the debtor and any dependent
18 of the debtor; and

19 (viii) In a bankruptcy case, the right to or proceeds of personal
20 injury of the debtor or an individual of whom the debtor is a
21 dependent; or the right to or proceeds of a payment in compensation
22 of loss of future earnings of the debtor or an individual of whom the
23 debtor is or was a dependent are free of the enforcement of the
24 claims of creditors, except to the extent such claims are for the
25 satisfaction of any liens or subrogation claims arising out of the
26 claims for personal injury or death. The exemption under this
27 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the
28 state of Washington, or any agent or assignee of the state, as a
29 lienholder or subrogee under RCW 43.20B.060.

30 (e) ~~((To each qualified individual, one of the following~~
31 exemptions:

32 ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~
33 equipment, supplies and seed, not to exceed ten thousand dollars in
34 value;

35 ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~
36 other professional person, the individual's library, office
37 furniture, office equipment and supplies, not to exceed ten thousand
38 dollars in value;

39 ~~(iii))~~ To any ~~((other))~~ individual, the tools ~~((and))~~,
40 instruments ((and)), materials, and supplies used to carry on his or

1 her trade (~~for the support of himself or herself or family,~~) not to
2 exceed (~~ten thousand dollars~~) \$15,000 in value.

3 (f) Tuition units, under chapter 28B.95 RCW, purchased more than
4 two years prior to the date of a bankruptcy filing or court judgment,
5 and contributions to any other qualified tuition program under 26
6 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and
7 to a Coverdell education savings account, also known as an education
8 individual retirement account, under 26 U.S.C. Sec. 530 of the
9 internal revenue code of 1986, as amended, contributed more than two
10 years prior to the date of a bankruptcy filing or court judgment.

11 (2) For purposes of this section, "value" means the reasonable
12 market value of the debtor's interest in an article or item at the
13 time it is selected for exemption, exclusive of all liens and
14 encumbrances thereon.

15 (3) In the case of married persons, each spouse is entitled to
16 the exemptions provided in this section, which may be combined with
17 the other spouse's exemption in the same property or taken in
18 different exempt property.

19 (4) Every three-year interval, beginning on April 1, 2026, each
20 dollar amount in effect under this section shall be adjusted by the
21 department of revenue to: (a) Reflect the change in the consumer
22 price index for all urban consumers, published by the department of
23 labor, for the most recent three-year period ending immediately
24 before the January 1st preceding such April 1st; and (b) round to the
25 nearest \$25 the dollar amount that represents such change.

26 **Sec. 2.** RCW 6.15.010 and 2019 c 371 s 3 are each amended to read
27 as follows:

28 (1) Except as provided in RCW 6.15.050, the following personal
29 property is exempt from execution, attachment, and garnishment:

30 (a) All wearing apparel of every individual and family, but not
31 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in
32 furs, jewelry, and personal ornaments for any individual.

33 (b) All private libraries including electronic media, which
34 includes audiovisual, entertainment, or reference media in digital or
35 analogue format, of every individual, but not to exceed (~~three~~
36 ~~thousand five hundred dollars~~) \$3,500 in value, and all family
37 pictures and keepsakes.

38 (c) A cell phone, personal computer, and printer.

1 (d) To each individual or, as to community property of spouses
2 maintaining a single household as against a creditor of the
3 community, to the community, provided that each spouse is entitled to
4 his or her own exemptions in this subsection (1)(d):

5 (i) ~~((The individual's or community's))~~ All household goods,
6 appliances, furniture, and home and yard equipment, not to exceed
7 ~~((six thousand five hundred dollars))~~ \$6,500 in value for the
8 individual ~~((or thirteen thousand dollars for the community, no~~
9 ~~single item to exceed seven hundred fifty dollars))~~, said amount to
10 include provisions and fuel for ~~((the))~~ comfortable maintenance ~~((of~~
11 ~~the individual or community))~~;

12 (ii) In a bankruptcy case, any other personal property, except
13 personal earnings as provided under RCW 6.15.050(1), not to exceed
14 \$10,000 in value. The value shall be determined as of the date the
15 bankruptcy petition is filed;

16 (iii) Other than in a bankruptcy case as described in (d)(ii) of
17 this subsection, other personal property, except personal earnings as
18 provided under RCW 6.15.050(1), not to exceed ~~((three thousand~~
19 ~~dollars))~~ \$3,000 in value, ~~((of which not more than one thousand five~~
20 ~~hundred dollars in value may consist of cash, and))~~ of which not more
21 than:

22 (A) For all debts except private student loan debt and consumer
23 debt, ~~((five hundred dollars))~~ \$500 in value may consist of bank
24 accounts, savings and loan accounts, stocks, bonds, or other
25 securities. The maximum exemption under this subsection (1)(d)
26 ~~((-ii))~~ (iii)(A) may not exceed ~~((five hundred dollars))~~ \$500,
27 regardless of the number of existing separate bank accounts, savings
28 and loan accounts, stocks, bonds, or other securities.

29 (B) For all private student loan debt, ~~((two thousand five~~
30 ~~hundred dollars))~~ \$2,500 in value may consist of bank accounts,
31 savings and loan accounts, stocks, bonds, or other securities. The
32 maximum exemption under this subsection (1)(d) ~~((-ii))~~ (iii)(B) may
33 not exceed ~~((two thousand five hundred dollars))~~ \$2,500, regardless
34 of the number of existing separate bank accounts, savings and loan
35 accounts, stocks, bonds, or other securities.

36 (C) For all consumer debt, ~~((two thousand dollars))~~ \$2,000 in
37 value may consist of bank accounts, savings and loan accounts,
38 stocks, bonds, or other securities. The maximum exemption under this
39 subsection (1)(d) ~~((-ii))~~ (iii)(C) may not exceed ~~((two thousand~~
40 ~~dollars))~~ \$2,000, regardless of the number of existing separate bank

1 accounts, savings and loan accounts, stocks, bonds, or other
2 securities;

3 ~~((iii) For an individual, a))~~ (iv) A motor vehicle ~~((used for~~
4 ~~personal transportation,))~~ not to exceed ~~((three thousand two hundred~~
5 ~~fifty dollars or for a community two motor vehicles used for personal~~
6 ~~transportation, not to exceed six thousand five hundred dollars))~~
7 \$15,000 in aggregate value;

8 ~~((iv))~~ (v) Any past due, current, or future child support paid
9 or owed to the debtor, which can be traced;

10 ~~((v))~~ (vi) All professionally prescribed health aids for the
11 debtor or a dependent of the debtor; ~~((and~~

12 ~~(vi))~~ (vii) To any individual, the right to or proceeds of a
13 payment not to exceed twenty thousand dollars on account of personal
14 bodily injury, not including pain and suffering or compensation for
15 actual pecuniary loss, of the debtor or an individual of whom the
16 debtor is a dependent; or the right to or proceeds of a payment in
17 compensation of loss of future earnings of the debtor or an
18 individual of whom the debtor is or was a dependent, to the extent
19 reasonably necessary for the support of the debtor and any dependent
20 of the debtor; and

21 (viii) In a bankruptcy case, the right to or proceeds of personal
22 injury of the debtor or an individual of whom the debtor is a
23 dependent; or the right to or proceeds of a payment in compensation
24 of loss of future earnings of the debtor or an individual of whom the
25 debtor is or was a dependent are free of the enforcement of the
26 claims of creditors, except to the extent such claims are for the
27 satisfaction of any liens or subrogation claims arising out of the
28 claims for personal injury or death. The exemption under this
29 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the
30 state of Washington, or any agent or assignee of the state, as a
31 lienholder or subrogee under RCW 43.20B.060.

32 (e) ~~((To each qualified individual, one of the following~~
33 ~~exemptions:~~

34 ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~
35 ~~equipment, supplies and seed, not to exceed ten thousand dollars in~~
36 ~~value;~~

37 ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~
38 ~~other professional person, the individual's library, office~~
39 ~~furniture, office equipment and supplies, not to exceed ten thousand~~
40 ~~dollars in value;~~

1 ~~(iii))~~ To any ~~(other)~~ individual, the tools ~~(and)~~,
2 instruments ~~(and)~~, materials, and supplies used to carry on his or
3 her trade ~~(for the support of himself or herself or family,)~~ not to
4 exceed ~~(ten thousand dollars)~~ \$15,000 in value.

5 (f) Tuition units, under chapter 28B.95 RCW, purchased more than
6 two years prior to the date of a bankruptcy filing or court judgment,
7 and contributions to any other qualified tuition program under 26
8 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and
9 to a Coverdell education savings account, also known as an education
10 individual retirement account, under 26 U.S.C. Sec. 530 of the
11 internal revenue code of 1986, as amended, contributed more than two
12 years prior to the date of a bankruptcy filing or court judgment.

13 (2) For purposes of this section, "value" means the reasonable
14 market value of the debtor's interest in an article or item at the
15 time it is selected for exemption, exclusive of all liens and
16 encumbrances thereon.

17 (3) In the case of married persons, each spouse is entitled to
18 the exemptions provided in this section, which may be combined with
19 the other spouse's exemption in the same property or taken in
20 different exempt property.

21 (4) Every three-year interval, beginning on April 1, 2026, each
22 dollar amount in effect under this section shall be adjusted by the
23 department of revenue to: (a) Reflect the change in the consumer
24 price index for all urban consumers, published by the department of
25 labor, for the most recent three-year period ending immediately
26 before the January 1st preceding such April 1st; and (b) round to the
27 nearest \$25 the dollar amount that represents such change.

28 **Sec. 3.** RCW 51.32.040 and 2013 c 125 s 6 are each amended to
29 read as follows:

30 (1) Except as provided in RCW 43.20B.720, 72.09.111, 74.20A.260,
31 and 51.32.380, no money paid or payable under this title shall,
32 ~~(before the issuance and delivery of the payment,)~~ be assigned,
33 charged, or taken in execution, attached, garnished, or pass or be
34 paid to any other person by operation of law, any form of voluntary
35 assignment, or power of attorney. Any such assignment or charge is
36 void unless the transfer is to a financial institution at the request
37 of a worker or other beneficiary and made in accordance with RCW
38 51.32.045. Payments retain their exempt status even after issuance.

1 (2) (a) If any worker suffers (i) a permanent partial injury and
2 dies from some other cause than the accident which produced the
3 injury before he or she receives payment of the award for the
4 permanent partial injury or (ii) any other injury before he or she
5 receives payment of any monthly installment covering any period of
6 time before his or her death, the amount of the permanent partial
7 disability award or the monthly payment, or both, shall be paid to
8 the surviving spouse or the child or children if there is no
9 surviving spouse. If there is no surviving spouse and no child or
10 children, the award or the amount of the monthly payment shall be
11 paid by the department or self-insurer and distributed consistent
12 with the terms of the decedent's will or, if the decedent dies
13 intestate, consistent with the terms of RCW 11.04.015.

14 (b) If any worker suffers an injury and dies from it before he or
15 she receives payment of any monthly installment covering time loss
16 for any period of time before his or her death, the amount of the
17 monthly payment shall be paid to the surviving spouse or the child or
18 children if there is no surviving spouse. If there is no surviving
19 spouse and no child or children, the amount of the monthly payment
20 shall be paid by the department or self-insurer and distributed
21 consistent with the terms of the decedent's will or, if the decedent
22 dies intestate, consistent with the terms of RCW 11.04.015.

23 (c) Any application for compensation under this subsection (2)
24 shall be filed with the department or self-insuring employer within
25 one year of the date of death. The department or self-insurer may
26 satisfy its responsibilities under this subsection (2) by sending any
27 payment due in the name of the decedent and to the last known address
28 of the decedent.

29 (3) (a) Any worker or beneficiary receiving benefits under this
30 title who is subsequently confined in, or who subsequently becomes
31 eligible for benefits under this title while confined in, any
32 institution under conviction and sentence shall have all payments of
33 the compensation canceled during the period of confinement. After
34 discharge from the institution, payment of benefits due afterward
35 shall be paid if the worker or beneficiary would, except for the
36 provisions of this subsection (3), otherwise be entitled to them.

37 (b) If any prisoner is injured in the course of his or her
38 employment while participating in a work or training release program
39 authorized by chapter 72.65 RCW and is subject to the provisions of
40 this title, he or she is entitled to payments under this title,

1 subject to the requirements of chapter 72.65 RCW, unless his or her
2 participation in the program has been canceled, or unless he or she
3 is returned to a state correctional institution, as defined in RCW
4 72.65.010(3), as a result of revocation of parole or new sentence.

5 (c) If the confined worker has any beneficiaries during the
6 confinement period during which benefits are canceled under (a) or
7 (b) of this subsection, they shall be paid directly the monthly
8 benefits which would have been paid to the worker for himself or
9 herself and the worker's beneficiaries had the worker not been
10 confined.

11 (4) Any lump sum benefits to which a worker would otherwise be
12 entitled but for the provisions of this section shall be paid on a
13 monthly basis to his or her beneficiaries.

14 NEW SECTION. **Sec. 4.** Section 1 of this act expires July 1,
15 2025.

16 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect July 1,
17 2025.

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