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**SENATE BILL 5173**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Stanford, Hasegawa, Kuderer, Pedersen, Saldaña, and Trudeau

Prefiled 01/05/23. Read first time 01/09/23. Referred to Committee on Law & Justice.

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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