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**SUBSTITUTE HOUSE BILL 2766**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Rayburn, Nealey, Riley, Edmondson, Paris and Basich)

Read first time 02/07/92.

1 AN ACT Relating to sheriffs' fees and costs; and amending RCW  
2 36.18.040.

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

4 **Sec. 1.** RCW 36.18.040 and 1981 c 194 s 1 are each amended to read  
5 as follows:

6 (1) Sheriffs shall collect the following fees for their official  
7 services:

8 (a) For service of each summons and complaint, notice and  
9 complaint, summons and petition, and notice of small claim on ~~((each~~  
10 ~~defendant, besides mileage, six dollars))~~ one defendant at one  
11 residence, ten dollars, and on two or more defendants at the same  
12 residence, twelve dollars, besides mileage;

13 (b) For making a return, besides mileage actually traveled,  
14 ~~((five))~~ seven dollars;

1       (c) For levying each writ of attachment or writ of execution upon  
2 real or personal property, besides mileage, (~~(fifteen)~~) thirty dollars  
3 per hour;

4       (d) For filing copy of writ of attachment or writ of execution with  
5 auditor, (~~(five)~~) ten dollars plus auditor's filing fee;

6       (e) For serving writ of possession or restitution without aid of  
7 the county, besides mileage, (~~(fifteen)~~) twenty-five dollars;

8       (f) For serving writ of possession or restitution with aid of the  
9 county, besides mileage, (~~(twenty-five)~~) forty dollars plus (~~(fifteen)~~)  
10 thirty dollars for each hour after one hour;

11       (~~(For summoning each juror, besides mileage, five dollars;)~~)

12       (g) For serving an arrest warrant in any action or proceeding,  
13 besides mileage, (~~(fifteen)~~) thirty dollars;

14       (h) For executing any other writ or process in a civil action or  
15 proceeding, besides mileage, (~~(fifteen)~~) thirty dollars per hour;

16       (i) For each mile actually and necessarily traveled (~~(by him)~~) in  
17 going to or returning from any place of service, or attempted service,  
18 (~~(twenty-five)~~) thirty-five cents;

19       (j) For making a deed to lands sold upon execution or order of sale  
20 or other decree of court, to be paid by the purchaser, (~~(twenty)~~)  
21 thirty dollars;

22       (k) For making copies of papers when sufficient copies are not  
23 furnished, one dollar for first page and fifty cents per each  
24 additional page;

25       (l) For the service of any other document and supporting papers for  
26 which no other fee is provided for herein, (~~(six)~~) twelve dollars;

27       (m) For posting a notice of sale, or postponement, (~~(five)~~) ten  
28 dollars besides mileage;

29       (n) For certificate or bill of sale of property, or certificate of  
30 redemption, (~~(twenty)~~) thirty dollars;

1       (o) For conducting a sale of property(~~([, ] fifteen)~~), thirty  
2 dollars per hour spent at a sheriff's sale;

3       (p) For notarizing documents, five dollars for each document;

4       (q) For fingerprinting for noncriminal purposes, ten dollars for  
5 each person for up to two sets, three dollars for each additional set;

6       (r) For mailing required by statute, whether regular, certified, or  
7 registered, the actual cost of postage;

8       (s) For an internal criminal history records check, ten dollars;

9       (t) For copies of incident or case reports, ten dollars;

10       (u) For the reproduction of audio, visual, or photographic  
11 material, to include magnetic microfilming, the actual cost including  
12 personnel time.

13       (2) Fees allowable under this section may be recovered by the  
14 prevailing party incurring the same as court costs. Nothing contained  
15 in this section permits the expenditure of public funds to defray costs  
16 of private litigation. Such costs shall be borne by the party seeking  
17 action by the sheriff, and may be recovered from the proceeds of any  
18 subsequent judicial sale, or may be added to any judgment upon proper  
19 application to the court entering the judgment.