

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2766

Chapter 164, Laws of 1992

52nd Legislature  
1992 Regular Session

SHERIFFS' FEES--REVISIONS

EFFECTIVE DATE: 6/11/92

Passed by the House March 8, 1992  
Yeas 90 Nays 0

JOE KING  
**Speaker of the  
House of Representatives**

Passed by the Senate March 5, 1992  
Yeas 45 Nays 2

JOEL PRITCHARD  
**President of the Senate**

Approved April 1, 1992

BOOTH GARDNER  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2766 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

April 1, 1992 - 10:46 a.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2766**

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AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

**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 any  
11 location, 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 the reproduction of audio, visual, or photographic  
10 material, to include magnetic microfilming, the actual cost including  
11 personnel time.

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

19       (3) Notwithstanding subsection (1) of this section, a county  
20 legislative authority may set the amounts of fees that shall be  
21 collected by the sheriff under subsection (1) of this section to cover  
22 the costs of administration and operation.

Passed the House March 8, 1992.

Passed the Senate March 5, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.