

CERTIFICATION OF ENROLLMENT

SENATE BILL 5233

Chapter 48, Laws of 1993

53rd Legislature
1993 Regular Session

COSTS ALLOWED TO PREVAILING PARTY--REVISIONS

EFFECTIVE DATE: 7/25/93

Passed by the Senate March 4, 1993
YEAS 49 NAYS 0

R. LORRAINE WOJAHN
President of the Senate

Passed by the House April 7, 1993
YEAS 94 NAYS 4

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Approved April 19, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5233** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN
Secretary

FILED

April 19, 1993 - 1:47 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5233

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senators A. Smith, McCaslin, Spanel, Nelson and Hargrove

Read first time 01/18/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to costs allowed to a prevailing party; and
2 amending RCW 4.84.010.

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

4 **Sec. 1.** RCW 4.84.010 and 1984 c 258 s 92 are each amended to read
5 as follows:

6 The measure and mode of compensation of attorneys and counselors,
7 shall be left to the agreement, expressed or implied, of the parties,
8 but there shall be allowed to the prevailing party upon the judgment
9 certain sums by way of indemnity for the prevailing party's expenses in
10 the action, which allowances are termed costs, including, in addition
11 to costs otherwise authorized by law, the following expenses:

12 (1) Filing fees;

13 (2) Fees for the service of process by a public officer, registered
14 process server, or other means, as follows:

15 (a) When service is by a public officer, the recoverable cost is
16 the fee authorized by law at the time of service.

17 (b) If service is by a process server registered pursuant to
18 chapter 18.180 RCW or a person exempt from registration, the

1 recoverable cost is the amount reasonably incurred in effecting
2 service;

3 (3) Fees for service by publication;

4 (4) Notary fees, but only to the extent the fees are for services
5 that are expressly required by law and only to the extent they
6 represent actual costs incurred by the prevailing party;

7 (5) Reasonable expenses, exclusive of attorneys' fees, incurred in
8 obtaining reports and records, which are admitted into evidence at
9 trial or in mandatory arbitration in superior or district court,
10 including but not limited to medical records, tax records, personnel
11 records, insurance reports, employment and wage records, police
12 reports, school records, bank records, and legal files;

13 (6) Statutory attorney and witness fees; and

14 (7) To the extent that the court or arbitrator finds that it was
15 necessary to achieve the successful result, the reasonable expense of
16 the transcription of depositions used at trial or at the mandatory
17 arbitration hearing: PROVIDED, That the expenses of depositions shall
18 be allowed on a pro rata basis for those portions of the depositions
19 introduced into evidence or used for purposes of impeachment.

Passed the Senate March 4, 1993.

Passed the House April 7, 1993.

Approved by the Governor April 19, 1993.

Filed in Office of Secretary of State April 19, 1993.