

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5142

Chapter 24, Laws of 1997

55th Legislature
1997 Regular Session

COLLECTION OF JUDGMENTS BY COURT AND COUNTY CLERKS

EFFECTIVE DATE: 7/27/97

Passed by the Senate March 10, 1997
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 8, 1997
YEAS 94 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 15, 1997

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5142** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

April 15, 1997 - 5:42 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5142

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Roach, Loveland and Winsley)

Read first time 02/12/97.

1 AN ACT Relating to the collection of judgments; and reenacting and
2 amending RCW 36.18.190.

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

4 **Sec. 1.** RCW 36.18.190 and 1995 c 291 s 8 and 1995 c 262 s 1 are
5 each reenacted and amended to read as follows:

6 Superior court clerks may contract with collection agencies under
7 chapter 19.16 RCW or may use county collection services for the
8 collection of unpaid court-ordered legal financial obligations as
9 enumerated in RCW 9.94A.030 that are ordered pursuant to a felony or
10 misdemeanor conviction and of unpaid financial obligations imposed
11 under Title 13 RCW. The costs for the agencies or county services
12 shall be paid by the debtor. The superior court may, at sentencing or
13 at any time within ten years, assess as court costs the moneys paid for
14 remuneration for services or charges paid to collection agencies or for
15 collection services. By agreement, clerks may authorize collection
16 agencies to retain all or any portion of the interest collected on
17 these accounts. Collection may not be initiated with respect to a
18 criminal offender who is under the supervision of the department of
19 corrections without the prior agreement of the department. Superior

1 court clerks are encouraged to initiate collection action with respect
2 to a criminal offender who is under the supervision of the department
3 of corrections, with the department's approval.

4 Any contract with a collection agency shall be awarded only after
5 competitive bidding. Factors that a court clerk shall consider in
6 awarding a collection contract include but are not limited to: (1) A
7 collection agency's history and reputation in the community; and (2)
8 the agency's access to a local data base that may increase the
9 efficiency of its collections. Contracts may specify the scope of
10 work, remuneration for services, and other charges deemed appropriate.

11 The servicing of an unpaid court obligation does not constitute
12 assignment of a debt, and no contract with a collection agency may
13 remove the court's control over unpaid obligations owed to the court.

14 The county clerk may collect civil judgments where the county is
15 the creditor.

Passed the Senate March 10, 1997.

Passed the House April 8, 1997.

Approved by the Governor April 15, 1997.

Filed in Office of Secretary of State April 15, 1997.