

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1117

Chapter 115, Laws of 2001

57th Legislature
2001 Regular Legislative Session

RESTITUTION OBLIGATIONS--ENFORCEMENT

EFFECTIVE DATE: 7/22/01

Passed by the House March 9, 2001
Yeas 96 Nays 0

FRANK CHOPP
**Speaker of the House of
Representatives**

CLYDE BALLARD
**Speaker of the House of
Representatives**

Passed by the Senate April 10, 2001
Yeas 47 Nays 0

BRAD OWEN
President of the Senate

Approved April 27, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1117** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

April 27, 2001 - 1:04 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1117

Passed Legislature - 2001 Regular Session

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Carrell, Lantz, Lambert, O'Brien, Lovick, Hunt and Haigh)

Read first time . Referred to Committee on .

1 AN ACT Relating to enforcement of court-ordered restitution
2 obligations; and adding new sections to chapter 3.66 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 3.66 RCW
5 to read as follows:

6 All court-ordered restitution obligations that are ordered as a
7 result of a conviction for a criminal offense in a court of limited
8 jurisdiction may be enforced in the same manner as a judgment in a
9 civil action by the party or entity to whom the legal financial
10 obligation is owed. The judgment and sentence must identify the party
11 or entity to whom restitution is owed so that the state, party, or
12 entity may enforce the judgment.

13 All court-ordered restitution obligations may be enforced at any
14 time during the ten-year period following the offender's release from
15 total confinement or within ten years of entry of the judgment and
16 sentence, whichever period is longer. Prior to the expiration of the
17 initial ten-year period, the court may extend the criminal judgment an
18 additional ten years for payment of court-ordered restitution only if

1 the court finds that the offender has not made a good faith attempt to
2 pay.

3 The party or entity to whom the court-ordered restitution
4 obligation is owed may utilize any other remedies available to the
5 party or entity to collect the court-ordered financial obligation.

6 Nothing in this section may be construed to deprive the court of
7 the authority to determine whether the offender's failure to pay the
8 legal financial obligation constitutes a violation of a condition of
9 probation or to impose a sanction upon the offender if such a violation
10 is found.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 3.66 RCW
12 to read as follows:

13 If the party or entity for whom a court-ordered restitution
14 obligation has been entered pursuant to this title seeks to enforce the
15 judgment as a lien on real estate, he or she shall commence a lien of
16 judgment upon the real estate of the judgment debtor/obligor as
17 provided in RCW 4.56.200.

18 When any court-ordered restitution obligation entered pursuant to
19 this title is paid or satisfied, the clerk of the court of limited
20 jurisdiction in which the restitution obligation was ordered shall note
21 upon the record of the court of limited jurisdiction satisfaction
22 thereof including the date of the satisfaction.

Passed the House March 9, 2001.

Passed the Senate April 10, 2001.

Approved by the Governor April 27, 2001.

Filed in Office of Secretary of State April 27, 2001.