

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2223

Chapter 202, Laws of 2005

59th Legislature
2005 Regular Session

SEX OFFENDER RECORDS--FEE WAIVER

EFFECTIVE DATE: 7/24/05

Passed by the House March 9, 2005
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 14, 2005
Yeas 38 Nays 0

BRAD OWEN

President of the Senate

Approved April 26, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2223** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 26, 2005 - 2:36 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2223

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representative O'Brien)

READ FIRST TIME 03/03/05.

1 AN ACT Relating to fees charged to law enforcement agencies for
2 certified copies of records concerning sex offenders; and amending RCW
3 36.18.016.

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

5 **Sec. 1.** RCW 36.18.016 and 2002 c 338 s 2 are each amended to read
6 as follows:

7 (1) Revenue collected under this section is not subject to division
8 under RCW 36.18.025 or 27.24.070.

9 (2) For the filing of a petition for modification of a decree of
10 dissolution or paternity, within the same case as the original action,
11 a fee of twenty dollars must be paid.

12 (3)(a) The party making a demand for a jury of six in a civil
13 action shall pay, at the time, a fee of one hundred twenty-five
14 dollars; if the demand is for a jury of twelve, a fee of two hundred
15 fifty dollars. If, after the party demands a jury of six and pays the
16 required fee, any other party to the action requests a jury of twelve,
17 an additional one hundred twenty-five dollar fee will be required of
18 the party demanding the increased number of jurors.

1 (b) Upon conviction in criminal cases a jury demand charge of fifty
2 dollars for a jury of six, or one hundred dollars for a jury of twelve
3 may be imposed as costs under RCW 10.46.190.

4 (4) For preparing, transcribing, or certifying an instrument on
5 file or of record in the clerk's office, with or without seal, for the
6 first page or portion of the first page, a fee of two dollars, and for
7 each additional page or portion of a page, a fee of one dollar must be
8 charged. For authenticating or exemplifying an instrument, a fee of
9 one dollar for each additional seal affixed must be charged.

10 (5) For executing a certificate, with or without a seal, a fee of
11 two dollars must be charged.

12 (6) For a garnishee defendant named in an affidavit for garnishment
13 and for a writ of attachment, a fee of twenty dollars must be charged.

14 (7) For approving a bond, including justification on the bond, in
15 other than civil actions and probate proceedings, a fee of two dollars
16 must be charged.

17 (8) For the issuance of a certificate of qualification and a
18 certified copy of letters of administration, letters testamentary, or
19 letters of guardianship, there must be a fee of two dollars.

20 (9) For the preparation of a passport application, the clerk may
21 collect an execution fee as authorized by the federal government.

22 (10) For clerk's services such as processing ex parte orders,
23 performing historical searches, compiling statistical reports, and
24 conducting exceptional record searches, the clerk may collect a fee not
25 to exceed twenty dollars per hour or portion of an hour.

26 (11) For duplicated recordings of court's proceedings there must be
27 a fee of ten dollars for each audio tape and twenty-five dollars for
28 each video tape.

29 (12) For the filing of oaths and affirmations under chapter 5.28
30 RCW, a fee of twenty dollars must be charged.

31 (13) For filing a disclaimer of interest under RCW 11.86.031(4), a
32 fee of two dollars must be charged.

33 (14) For registration of land titles, Torrens Act, under RCW
34 65.12.780, a fee of five dollars must be charged.

35 (15) For the issuance of extension of judgment under RCW 6.17.020
36 and chapter 9.94A RCW, a fee of one hundred ten dollars must be
37 charged.

1 (16) A facilitator surcharge of ten dollars must be charged as
2 authorized under RCW 26.12.240.

3 (17) For filing a water rights statement under RCW 90.03.180, a fee
4 of twenty-five dollars must be charged.

5 (18) A service fee of three dollars for the first page and one
6 dollar for each additional page must be charged for receiving faxed
7 documents, pursuant to Washington state rules of court, general rule
8 17.

9 (19) For preparation of clerk's papers under RAP 9.7, a fee of
10 fifty cents per page must be charged.

11 (20) For copies and reports produced at the local level as
12 permitted by RCW 2.68.020 and supreme court policy, a variable fee must
13 be charged.

14 (21) Investment service charge and earnings under RCW 36.48.090
15 must be charged.

16 (22) Costs for nonstatutory services rendered by clerk by authority
17 of local ordinance or policy must be charged.

18 (23) For filing a request for mandatory arbitration, a filing fee
19 may be assessed against the party filing a statement of arbitrability
20 not to exceed two hundred twenty dollars as established by authority of
21 local ordinance. This charge shall be used solely to offset the cost
22 of the mandatory arbitration program.

23 (24) For filing a request for trial de novo of an arbitration
24 award, a fee not to exceed two hundred fifty dollars as established by
25 authority of local ordinance must be charged.

26 (25) A public agency may not charge a fee to a law enforcement
27 agency, for preparation, copying, or mailing of certified copies of the
28 judgment and sentence, information, affidavit of probable cause, and/or
29 the notice of requirement to register, of a sex offender convicted in
30 a Washington court, when such records are necessary for risk
31 assessment, preparation of a case for failure to register, or
32 maintenance of a sex offender's registration file.

Passed by the House March 9, 2005.

Passed by the Senate April 14, 2005.

Approved by the Governor April 26, 2005.

Filed in Office of Secretary of State April 26, 2005.