

# SENATE BILL REPORT

## HB 1140

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As Passed Senate, June 30, 2017

**Title:** An act relating to judicial stabilization trust account surcharges.

**Brief Description:** Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021.

**Sponsors:** Representatives Jinkins, Rodne and Ormsby; by request of Board For Judicial Administration.

**Brief History:** Passed House: 6/29/17, 79-15.

**Committee Activity:** Ways & Means: 6/30/17, 6/30/17 [DP, DNP, w/oRec].

**Floor Activity:**

**Third Special Session:** Passed Senate: 6/30/17, 40-9.

### Brief Summary of Bill

- Extends the expiration date for surcharges on court filing fees that are deposited into the Judicial Stabilization Trust Account until July 1, 2021.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Braun, Chair; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Pedersen, Rivers and Zeiger.

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Vice Chair, Capital Budget ; Schoesler.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Brown, Vice Chair; Padden and Warnick.

**Staff:** Tim Ford (786-7423)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Superior and district courts are authorized by statute to collect filing fees and other fees for court services. Filing fees are charged differently depending on the specific type of filing or pleading. These filings generally include, but are not limited to, the first or initial document in any civil action, and any party filing a counterclaim, cross-claim, or third party claim.

In addition to the collection of filing fees, the clerk for the district court, superior court, or county must collect a surcharge on the filing fees. The surcharge amounts to either \$30 or \$40 per filing. Revenue from superior court and district court surcharges is split with 75 percent going to the state and 25 percent going to the county. The revenue remitted to the state for these surcharges is deposited in the Judicial Stabilization Trust Account.

The statutory authority to collect these surcharges expires on July 1, 2017.

**Summary of Bill:** The expiration date for surcharges on superior court and district court filings is extended until July 1, 2021.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2017.

**Staff Summary of Public Testimony (Third Special Session 2017):** PRO: This is request legislation on behalf of the entire judicial branch. The surcharges are an important part of the funding for the judicial branch and have been historically used to support the Administrative Office of the Courts, the Office of Public Defense and the Office of Civil Legal Aid.

OTHER: I am glad I am allowed to comment and I am glad there are no new taxes on this bill.

**Persons Testifying:** PRO: Brady Horenstein, Administrative Office of the Courts; Tom Parker, Superior Court Judges Association.

OTHER: Tim Eyman, citizen.

**Persons Signed In To Testify But Not Testifying:** No one.