

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1602**

Chapter 371, Laws of 2019

66th Legislature  
2019 Regular Session

CONSUMER DEBT JUDGMENTS

EFFECTIVE DATE: July 28, 2019

Passed by the House April 18, 2019  
Yeas 67 Nays 27

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 15, 2019  
Yeas 44 Nays 4

CYRUS HABIB

**President of the Senate**

Approved May 13, 2019 3:52 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1602** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 16, 2019

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1602**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

**State of Washington                      66th Legislature                      2019 Regular Session**

**By** House Civil Rights & Judiciary (originally sponsored by Representatives Reeves, Walen, Jenkins, Appleton, Ryu, Morgan, Orwall, Ortiz-Self, Hudgins, and Ormsby)

READ FIRST TIME 02/19/19.

1            AN ACT Relating to consumer debt; and amending RCW 4.56.110,  
2            6.01.060, 6.15.010, 6.27.100, 6.27.105, 6.27.140, and 6.27.150.

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

4            **Sec. 1.** RCW 4.56.110 and 2018 c 199 s 201 are each amended to  
5            read as follows:

6            Interest on judgments shall accrue as follows:

7            (1) Judgments founded on written contracts, providing for the  
8            payment of interest until paid at a specified rate, shall bear  
9            interest at the rate specified in the contracts: PROVIDED, That said  
10           interest rate is set forth in the judgment.

11           (2) All judgments for unpaid child support that have accrued  
12           under a superior court order or an order entered under the  
13           administrative procedure act shall bear interest at the rate of  
14           twelve percent.

15           (3)(a) Judgments founded on the tortious conduct of a "public  
16           agency" as defined in RCW 42.30.020 shall bear interest from the date  
17           of entry at two percentage points above the equivalent coupon issue  
18           yield, as published by the board of governors of the federal reserve  
19           system, of the average bill rate for twenty-six week treasury bills  
20           as determined at the first bill market auction conducted during the  
21           calendar month immediately preceding the date of entry. In any case

1 where a court is directed on review to enter judgment on a verdict or  
2 in any case where a judgment entered on a verdict is wholly or partly  
3 affirmed on review, interest on the judgment or on that portion of  
4 the judgment affirmed shall date back to and shall accrue from the  
5 date the verdict was rendered.

6 (b) Except as provided in (a) of this subsection, judgments  
7 founded on the tortious conduct of individuals or other entities,  
8 whether acting in their personal or representative capacities, shall  
9 bear interest from the date of entry at two percentage points above  
10 the prime rate, as published by the board of governors of the federal  
11 reserve system on the first business day of the calendar month  
12 immediately preceding the date of entry. In any case where a court is  
13 directed on review to enter judgment on a verdict or in any case  
14 where a judgment entered on a verdict is wholly or partly affirmed on  
15 review, interest on the judgment or on that portion of the judgment  
16 affirmed shall date back to and shall accrue from the date the  
17 verdict was rendered.

18 (4) Except as provided under subsection (1) of this section,  
19 judgments for unpaid private student loan debt, as defined in RCW  
20 6.01.060, shall bear interest from the date of entry at two  
21 percentage points above the prime rate, as published by the board of  
22 governors of the federal reserve system on the first business day of  
23 the calendar month immediately preceding the date of entry.

24 (5) Except as provided under subsection (1) of this section,  
25 judgments for unpaid consumer debt, as defined in RCW 6.01.060, shall  
26 bear interest from the date of entry at a rate of nine percent.

27 (6) Except as provided under subsections (1) (~~(2), (3), and~~  
28 ~~(4)) through (5)~~ of this section, judgments shall bear interest from  
29 the date of entry at the maximum rate permitted under RCW 19.52.020  
30 on the date of entry thereof. In any case where a court is directed  
31 on review to enter judgment on a verdict or in any case where a  
32 judgment entered on a verdict is wholly or partly affirmed on review,  
33 interest on the judgment or on that portion of the judgment affirmed  
34 shall date back to and shall accrue from the date the verdict was  
35 rendered. The method for determining an interest rate prescribed by  
36 this subsection is also the method for determining the "rate  
37 applicable to civil judgments" for purposes of RCW 10.82.090.

38 **Sec. 2.** RCW 6.01.060 and 2018 c 199 s 202 are each amended to  
39 read as follows:

1 The definitions in this section apply throughout this title  
2 unless the context clearly requires otherwise.

3 (1) "Certified mail" includes, for mailings to a foreign country,  
4 any form of mail that requires or permits a return receipt.

5 (2) "Consumer debt" means any obligation or alleged obligation of  
6 a consumer to pay money arising out of a transaction in which the  
7 money, property, insurance, or services which are the subject of the  
8 transaction are primarily for personal, family, or household  
9 purposes. Consumer debt includes medical debt.

10 (3) "Private student loan" means any loan not guaranteed by the  
11 federal or state government that is used solely for personal use to  
12 finance postsecondary education and costs of attendance at an  
13 educational institution. A private student loan includes a loan made  
14 solely to refinance a private student loan. A private student loan  
15 does not include an extension of credit made under an open-end  
16 consumer credit plan, a reverse mortgage transaction, a residential  
17 mortgage transaction, or any other loan that is secured by real  
18 property or a dwelling.

19 **Sec. 3.** RCW 6.15.010 and 2018 c 199 s 203 are each amended to  
20 read as follows:

21 (1) Except as provided in RCW 6.15.050, the following personal  
22 property is exempt from execution, attachment, and garnishment:

23 (a) All wearing apparel of every individual and family, but not  
24 to exceed three thousand five hundred dollars in value in furs,  
25 jewelry, and personal ornaments for any individual.

26 (b) All private libraries including electronic media, which  
27 includes audiovisual, entertainment, or reference media in digital or  
28 analogue format, of every individual, but not to exceed three  
29 thousand five hundred dollars in value, and all family pictures and  
30 keepsakes.

31 (c) A cell phone, personal computer, and printer.

32 (d) To each individual or, as to community property of spouses  
33 maintaining a single household as against a creditor of the  
34 community, to the community:

35 (i) The individual's or community's household goods, appliances,  
36 furniture, and home and yard equipment, not to exceed six thousand  
37 five hundred dollars in value for the individual or thirteen thousand  
38 dollars for the community, no single item to exceed seven hundred

1 fifty dollars, said amount to include provisions and fuel for the  
2 comfortable maintenance of the individual or community;

3 (ii) Other personal property, except personal earnings as  
4 provided under RCW 6.15.050(1), not to exceed three thousand dollars  
5 in value, of which not more than one thousand five hundred dollars in  
6 value may consist of cash, and of which not more than:

7 (A) For all debts except private student loan debt and consumer  
8 debt, five hundred dollars in value may consist of bank accounts,  
9 savings and loan accounts, stocks, bonds, or other securities. The  
10 maximum exemption under this subsection (1)(d)(ii)(A) may not exceed  
11 five hundred dollars, regardless of the number of existing separate  
12 bank accounts, savings and loan accounts, stocks, bonds, or other  
13 securities.

14 (B) For all private student loan debt, two thousand five hundred  
15 dollars in value may consist of bank accounts, savings and loan  
16 accounts, stocks, bonds, or other securities. The maximum exemption  
17 under this subsection (1)(d)(ii)(B) may not exceed two thousand five  
18 hundred dollars, regardless of the number of existing separate bank  
19 accounts, savings and loan accounts, stocks, bonds, or other  
20 securities.

21 (C) For all consumer debt, two thousand dollars in value may  
22 consist of bank accounts, savings and loan accounts, stocks, bonds,  
23 or other securities. The maximum exemption under this subsection  
24 (1)(d)(ii)(C) may not exceed two thousand dollars, regardless of the  
25 number of existing separate bank accounts, savings and loan accounts,  
26 stocks, bonds, or other securities;

27 (iii) For an individual, a motor vehicle used for personal  
28 transportation, not to exceed three thousand two hundred fifty  
29 dollars or for a community two motor vehicles used for personal  
30 transportation, not to exceed six thousand five hundred dollars in  
31 aggregate value;

32 (iv) Any past due, current, or future child support paid or owed  
33 to the debtor, which can be traced;

34 (v) All professionally prescribed health aids for the debtor or a  
35 dependent of the debtor; and

36 (vi) To any individual, the right to or proceeds of a payment not  
37 to exceed twenty thousand dollars on account of personal bodily  
38 injury, not including pain and suffering or compensation for actual  
39 pecuniary loss, of the debtor or an individual of whom the debtor is  
40 a dependent; or the right to or proceeds of a payment in compensation

1 of loss of future earnings of the debtor or an individual of whom the  
2 debtor is or was a dependent, to the extent reasonably necessary for  
3 the support of the debtor and any dependent of the debtor. The  
4 exemption under this subsection (1)(d)(vi) does not apply to the  
5 right of the state of Washington, or any agent or assignee of the  
6 state, as a lienholder or subrogee under RCW 43.20B.060.

7 (e) To each qualified individual, one of the following  
8 exemptions:

9 (i) To a farmer, farm trucks, farm stock, farm tools, farm  
10 equipment, supplies and seed, not to exceed ten thousand dollars in  
11 value;

12 (ii) To a physician, surgeon, attorney, member of the clergy, or  
13 other professional person, the individual's library, office  
14 furniture, office equipment and supplies, not to exceed ten thousand  
15 dollars in value;

16 (iii) To any other individual, the tools and instruments and  
17 materials used to carry on his or her trade for the support of  
18 himself or herself or family, not to exceed ten thousand dollars in  
19 value.

20 (f) Tuition units, under chapter 28B.95 RCW, purchased more than  
21 two years prior to the date of a bankruptcy filing or court judgment,  
22 and contributions to any other qualified tuition program under 26  
23 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and  
24 to a Coverdell education savings account, also known as an education  
25 individual retirement account, under 26 U.S.C. Sec. 530 of the  
26 internal revenue code of 1986, as amended, contributed more than two  
27 years prior to the date of a bankruptcy filing or court judgment.

28 (2) For purposes of this section, "value" means the reasonable  
29 market value of the debtor's interest in an article or item at the  
30 time it is selected for exemption, exclusive of all liens and  
31 encumbrances thereon.

32 **Sec. 4.** RCW 6.27.100 and 2018 c 199 s 204 are each amended to  
33 read as follows:

34 (1) A writ issued for a continuing lien on earnings shall be  
35 substantially in the form provided in RCW 6.27.105. All other writs  
36 of garnishment shall be substantially in the following form, but:

37 (a) If the writ is issued under an order or judgment for child  
38 support, the following statement shall appear conspicuously in the

1 caption: "This garnishment is based on a judgment or order for child  
2 support";

3 (b) If the writ is issued under an order or judgment for private  
4 student loan debt, the following statement shall appear conspicuously  
5 in the caption: "This garnishment is based on a judgment or order for  
6 private student loan debt"; (~~and~~)

7 (c) If the writ is issued under an order or judgment for consumer  
8 debt, the following statement shall appear conspicuously in the  
9 caption: "This garnishment is based on a judgment or order for  
10 consumer debt"; and

11 (d) If the writ is issued by an attorney, the writ shall be  
12 revised as indicated in subsection (2) of this section:

"IN THE ..... COURT  
OF THE STATE OF WASHINGTON IN AND FOR  
THE COUNTY OF .....

..... ,  
Plaintiff, No. ....  
vs.  
..... , WRIT OF  
Defendant, GARNISHMENT  
..... ,  
Garnishee

THE STATE OF WASHINGTON TO: .....  
Garnishee  
AND TO: .....  
Defendant

The above-named plaintiff has applied for a writ of  
garnishment against you, claiming that the above-named  
defendant is indebted to plaintiff and that the amount to  
be held to satisfy that indebtedness is \$ . . . . . ,  
consisting of:

- Balance on Judgment or Amount of Claim \$....
- Interest under Judgment from .... to .... \$....
- Per Day Rate of Estimated Interest \$....  
per day
- Taxable Costs and Attorneys' Fees \$....
- Estimated Garnishment Costs:

|   |                                     |        |
|---|-------------------------------------|--------|
| 1 | Filing and Ex Parte Fees            | \$.... |
| 2 | Service and Affidavit Fees          | \$.... |
| 3 | Postage and Costs of Certified Mail | \$.... |
| 4 | Answer Fee or Fees                  | \$.... |
| 5 | Garnishment Attorney Fee            | \$.... |
| 6 | Other                               | \$.... |

7 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
8 by the attorney of record for the plaintiff, or by this writ, not to  
9 pay any debt, whether earnings subject to this garnishment or any  
10 other debt, owed to the defendant at the time this writ was served  
11 and not to deliver, sell, or transfer, or recognize any sale or  
12 transfer of, any personal property or effects of the defendant in  
13 your possession or control at the time when this writ was served. Any  
14 such payment, delivery, sale, or transfer is void to the extent  
15 necessary to satisfy the plaintiff's claim and costs for this writ  
16 with interest.

17 YOU ARE FURTHER COMMANDED to answer this writ according to the  
18 instructions in this writ and in the answer forms and, within twenty  
19 days after the service of the writ upon you, to mail or deliver the  
20 original of such answer to the court, one copy to the plaintiff or  
21 the plaintiff's attorney, and one copy to the defendant, at the  
22 addresses listed at the bottom of this writ.

23 If you owe the defendant a debt payable in money in excess of the  
24 amount set forth in the first paragraph of this writ, hold only the  
25 amount set forth in the first paragraph and any processing fee if one  
26 is charged and release all additional funds or property to defendant.

27 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
28 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
29 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND  
30 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU  
31 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED  
32 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT  
33 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

34 JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
35 FEES INCURRED BY THE PLAINTIFF.

36 Witness, the Honorable . . . . ., Judge of the above-  
37 entitled Court, and the seal thereof, this . . . . day  
38 of . . . . ., . . . . (year)



1 [Seal]

2 .....

3 Attorney for Clerk of

4 Plaintiff (or the Court

5 Plaintiff, if no

6 attorney)

7 .....

8 Address By

9 .....

10 Name of Defendant Address"

11 .....

12 Address of Defendant

13 (2) If an attorney issues the writ of garnishment, the final  
14 paragraph of the writ, containing the date, and the subscribed  
15 attorney and clerk provisions, shall be replaced with text in  
16 substantially the following form:

17 "This writ is issued by the undersigned attorney of record for  
18 plaintiff under the authority of chapter 6.27 of the Revised Code of  
19 Washington, and must be complied with in the same manner as a writ  
20 issued by the clerk of the court.

21 Dated this .....day of....., .... (year)

22 .....

23 Attorney for Plaintiff

24 .....

25 Address Address of the Clerk of the

26 Court"

27 .....

28 Name of Defendant

29 .....

30 Address of Defendant

31 **Sec. 5.** RCW 6.27.105 and 2018 c 199 s 205 are each amended to  
32 read as follows:

33 (1) A writ that is issued for a continuing lien on earnings shall  
34 be substantially in the following form, but:

1 (a) If the writ is issued under an order or judgment for child  
2 support, the following statement shall appear conspicuously in the  
3 caption: "This garnishment is based on a judgment or order for child  
4 support";

5 (b) If the writ is issued under an order or judgment for private  
6 student loan debt, the following statement shall appear conspicuously  
7 in the caption: "This garnishment is based on a judgment or order for  
8 private student loan debt"; (~~and~~)

9 (c) If the writ is issued under an order or judgment for consumer  
10 debt, the following statement shall appear conspicuously in the  
11 caption: "This garnishment is based on a judgment or order for  
12 consumer debt"; and

13 (d) If the writ is issued by an attorney, the writ shall be  
14 revised as indicated in subsection (2) of this section:

15 "IN THE ..... COURT  
16 OF THE STATE OF WASHINGTON IN AND FOR  
17 THE COUNTY OF .....

18 .....,  
19 Plaintiff, No. ....  
20 vs.  
21 ....., WRIT OF  
22 Defendant GARNISHMENT FOR  
23 CONTINUING LIEN ON  
24 ....., EARNINGS  
25 Garnishee  
26 THE STATE OF WASHINGTON TO:.....  
27 Garnishee  
28 AND TO:.....  
29 Defendant

30 The above-named plaintiff has applied for a writ of  
31 garnishment against you, claiming that the above-named  
32 defendant is indebted to plaintiff and that the amount to  
33 be held to satisfy that indebtedness is \$ . . . . .,  
34 consisting of:

35 Balance on Judgment or Amount of Claim \$ ....  
36 Interest under Judgment from .... to .... \$ ....

|    |                                     |         |
|----|-------------------------------------|---------|
| 1  | Per Day Rate of Estimated Interest  | \$ .... |
| 2  |                                     | per day |
| 3  | Taxable Costs and Attorneys' Fees   | \$ .... |
| 4  | Estimated Garnishment Costs:        |         |
| 5  | Filing and Ex Parte Fees            | \$ .... |
| 6  | Service and Affidavit Fees          | \$ .... |
| 7  | Postage and Costs of Certified Mail | \$ .... |
| 8  | Answer Fee or Fees                  | \$ .... |
| 9  | Garnishment Attorney Fee            | \$ .... |
| 10 | Other                               | \$ .... |

11       THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD  
12 the nonexempt portion of the defendant's earnings due at the time of  
13 service of this writ and shall also hold the defendant's nonexempt  
14 earnings that accrue through the last payroll period ending on or  
15 before SIXTY days after the date of service of this writ. HOWEVER, IF  
16 THE GARNISHEE IS PRESENTLY HOLDING THE NONEXEMPT PORTION OF THE  
17 DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT FOR A CONTINUING  
18 LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only the defendant's  
19 nonexempt earnings that accrue from the date the previously served  
20 writ or writs terminate and through the last payroll period ending on  
21 or before sixty days after the date of termination of the previous  
22 writ or writs. IN EITHER CASE, THE GARNISHEE SHALL STOP WITHHOLDING  
23 WHEN THE SUM WITHHELD EQUALS THE AMOUNT STATED IN THIS WRIT OF  
24 GARNISHMENT.

25       YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
26 by the attorney of record for the plaintiff, or by this writ, not to  
27 pay any debt, whether earnings subject to this garnishment or any  
28 other debt, owed to the defendant at the time this writ was served  
29 and not to deliver, sell, or transfer, or recognize any sale or  
30 transfer of, any personal property or effects of the defendant in  
31 your possession or control at the time when this writ was served. Any  
32 such payment, delivery, sale, or transfer is void to the extent  
33 necessary to satisfy the plaintiff's claim and costs for this writ  
34 with interest.

35       YOU ARE FURTHER COMMANDED to answer this writ according to the  
36 instructions in this writ and in the answer forms and, within twenty  
37 days after the service of the writ upon you, to mail or deliver the  
38 original of such answer to the court, one copy to the plaintiff or

1 the plaintiff's attorney, and one copy to the defendant, at the  
2 addresses listed at the bottom of this writ.

3 If, at the time this writ was served, you owed the defendant any  
4 earnings (that is, wages, salary, commission, bonus, tips, or other  
5 compensation for personal services or any periodic payments pursuant  
6 to a nongovernmental pension or retirement program), the defendant is  
7 entitled to receive amounts that are exempt from garnishment under  
8 federal and state law. You must pay the exempt amounts to the  
9 defendant on the day you would customarily pay the compensation or  
10 other periodic payment. As more fully explained in the answer, the  
11 basic exempt amount is the greater of seventy-five percent of  
12 disposable earnings or a minimum amount determined by reference to  
13 the employee's pay period, to be calculated as provided in the  
14 answer. However, if this writ carries a statement in the heading of  
15 (~~either~~) "This garnishment is based on a judgment or order for  
16 child support," the basic exempt amount is fifty percent of  
17 disposable earnings; ~~(or)~~ and if this writ carries a statement in  
18 the heading of "This garnishment is based on a judgment or order for  
19 private student loan debt," the basic exempt amount is the greater of  
20 eighty-five percent of disposable earnings or fifty times the minimum  
21 hourly wage of the highest minimum wage law in the state at the time  
22 the earnings are payable; and if this writ carries a statement in the  
23 heading of "This garnishment is based on a judgment or order for  
24 consumer debt," the basic exempt amount is the greater of eighty  
25 percent of disposable earnings or thirty-five times the state minimum  
26 hourly wage.

27 YOU MAY DEDUCT A PROCESSING FEE FROM THE REMAINDER OF THE  
28 EMPLOYEE'S EARNINGS AFTER WITHHOLDING UNDER THIS WRIT. THE PROCESSING  
29 FEE MAY NOT EXCEED TWENTY DOLLARS FOR THE FIRST ANSWER AND TEN  
30 DOLLARS AT THE TIME YOU SUBMIT THE SECOND ANSWER.

31 If you owe the defendant a debt payable in money in excess of the  
32 amount set forth in the first paragraph of this writ, hold only the  
33 amount set forth in the first paragraph and any processing fee if one  
34 is charged and release all additional funds or property to defendant.

35 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
36 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
37 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND  
38 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU  
39 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED

1 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT  
2 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

3 JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
4 FEES INCURRED BY THE PLAINTIFF.

5 Witness, the Honorable . . . . ., Judge of the above-  
6 entitled Court, and the seal thereof, this . . . . day  
7 of . . . . ., . . . . (year)

8 [Seal]

9 .....

10 Attorney for Clerk of  
11 Plaintiff (or the Court  
12 Plaintiff, if no  
13 attorney)

14 .....

15 Address By

16 .....

17 Name of Defendant Address"

18 .....

19 Address of Defendant

20 (2) If an attorney issues the writ of garnishment, the final  
21 paragraph of the writ, containing the date, and the subscribed  
22 attorney and clerk provisions, shall be replaced with text in  
23 substantially the following form:

24 "This writ is issued by the undersigned attorney of record for  
25 plaintiff under the authority of chapter 6.27 of the Revised Code of  
26 Washington, and must be complied with in the same manner as a writ  
27 issued by the clerk of the court.

28 Dated this .....day of....., .... (year)

29 .....

30 Attorney for Plaintiff

31 .....

32 Address Address of the Clerk of the  
33 Court"

34 .....

1 Name of Defendant

2 .....

3 Address of Defendant

4 **Sec. 6.** RCW 6.27.140 and 2018 c 199 s 206 are each amended to  
5 read as follows:

6 (1) The notice required by RCW 6.27.130(1) to be mailed to or  
7 served on an individual judgment debtor shall be in the following  
8 form, printed or typed in no smaller than size twelve point font:

9 NOTICE OF GARNISHMENT  
10 AND OF YOUR RIGHTS

11 A Writ of Garnishment issued in a Washington court has been  
12 or will be served on the garnishee named in the attached copy  
13 of the writ. After receipt of the writ, the garnishee is  
14 required to withhold payment of any money that was due to you  
15 and to withhold any other property of yours that the  
16 garnishee held or controlled. This notice of your rights is  
17 required by law.

18 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

19 WAGES. If the garnishee is your employer who owes wages or  
20 other personal earnings to you, your employer is required to  
21 pay amounts to you that are exempt under state and federal  
22 laws, as explained in the writ of garnishment. You should  
23 receive a copy of your employer's answer, which will show how  
24 the exempt amount was calculated. If the garnishment is for  
25 child support, the exempt amount paid to you will be a  
26 percent of your disposable earnings, which is fifty percent  
27 of that part of your earnings remaining after your employer  
28 deducts those amounts which are required by law to be  
29 withheld. If the garnishment is for private student loan  
30 debt, the exempt amount paid to you will be the greater of  
31 the following: A percent of your disposable earnings, which  
32 is eighty-five percent of the part of your earnings remaining  
33 after your employer deducts those amounts which are required  
34 by law to be withheld, or fifty times the minimum hourly wage  
35 of the highest minimum wage law in the state at the time the  
36 earnings are payable. If the garnishment is for consumer  
37 debt, the exempt amount paid to you will be the greater of

1 the following: A percent of your disposable earnings, which  
2 is eighty percent of the part of your earnings remaining  
3 after your employer deducts those amounts which are required  
4 by law to be withheld, or thirty-five times the state minimum  
5 hourly wage.

6 BANK ACCOUNTS. If the garnishee is a bank or other  
7 institution with which you have an account in which you have  
8 deposited benefits such as Temporary Assistance for Needy  
9 Families, Supplemental Security Income (SSI), Social  
10 Security, veterans' benefits, unemployment compensation, or  
11 any federally qualified pension, such as a state or federal  
12 pension, individual retirement account (IRA), or 401K plan,  
13 you may claim the account as fully exempt if you have  
14 deposited only such benefit funds in the account. It may be  
15 partially exempt even though you have deposited money from  
16 other sources in the same account. An exemption is also  
17 available under RCW 26.16.200, providing that funds in a  
18 community bank account that can be identified as the earnings  
19 of a stepparent are exempt from a garnishment on the child  
20 support obligation of the parent.

21 OTHER EXEMPTIONS. If the garnishee holds other property of  
22 yours, some or all of it may be exempt under RCW 6.15.010, a  
23 Washington statute that exempts certain property of your  
24 choice (including up to \$2,500.00 in a bank account if you  
25 owe on private student loan debts; up to \$2,000.00 in a bank  
26 account if you owe on consumer debts; or up to \$500.00 in a  
27 bank account for all other debts) and certain other property  
28 such as household furnishings, tools of trade, and a motor  
29 vehicle (all limited by differing dollar values).

30 HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and  
31 mail or deliver it as described in instructions on the claim  
32 form. If the plaintiff does not object to your claim, the  
33 funds or other property that you have claimed as exempt must  
34 be released not later than 10 days after the plaintiff  
35 receives your claim form. If the plaintiff objects, the law  
36 requires a hearing not later than 14 days after the plaintiff  
37 receives your claim form, and notice of the objection and  
38 hearing date will be mailed to you at the address that you  
39 put on the claim form.

1 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,  
2 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,  
3 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY  
4 DELAY.

5 (2) (a) If the writ is to garnish funds or property held by a  
6 financial institution, the claim form required by RCW 6.27.130(1) to  
7 be mailed to or served on an individual judgment debtor shall be in  
8 the following form, printed or typed in no smaller than size twelve  
9 point font:

10 [Caption to be filled in by judgment creditor  
11 or plaintiff before mailing.]

12 Name of Court

13 ..... No .....

14 Plaintiff,

15 vs.

16 ..... EXEMPTION CLAIM

17 Defendant,

18 Garnishee Defendant

19 INSTRUCTIONS:

- 20 1. Read this whole form after reading the enclosed  
21 notice. Then put an X in the box or boxes that  
22 describe your exemption claim or claims and write  
23 in the necessary information on the blank lines. If  
24 additional space is needed, use the bottom of the  
25 last page or attach another sheet.
- 26 2. Make two copies of the completed form. Deliver  
27 the original form by first-class mail or in person to  
28 the clerk of the court, whose address is shown at  
29 the bottom of the writ of garnishment. Deliver one  
30 of the copies by first-class mail or in person to the  
31 plaintiff or plaintiff's attorney, whose name and  
32 address are shown at the bottom of the writ. Keep  
33 the other copy. YOU SHOULD DO THIS AS  
34 QUICKLY AS POSSIBLE, BUT NO LATER  
35 THAN 28 DAYS (4 WEEKS) AFTER THE DATE  
36 ON THE WRIT.



1 I/We claim the following money or property as exempt:

2 IF BANK ACCOUNT IS GARNISHED:

3 [ ] The account contains payments from:

4 [ ] Temporary assistance for needy families, SSI, or  
5 other public assistance. I receive \$ . . . . .  
6 monthly.

7 [ ] Social Security. I receive \$ . . . . . monthly.

8 [ ] Veterans' Benefits. I receive \$ . . . . . monthly.

9 [ ] Federally qualified pension, such as a state or  
10 federal pension, individual retirement account  
11 (IRA), or 401K plan. I receive \$ . . . . . monthly.

12 [ ] Unemployment Compensation. I receive \$ . . . . .  
13 monthly.

14 [ ] Child support. I receive \$ . . . . . monthly.

15 [ ] Other. Explain . . . . .

16 [ ] \$2,500 exemption for private student loan debts.

17 [ ] \$2,000 exemption for consumer debts.

18 [ ] \$500 exemption for all other debts.

19 IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,  
20 ANSWER ONE OR BOTH OF THE FOLLOWING:

21 [ ] No money other than from above payments are in  
22 the account.

23 [ ] Moneys in addition to the above payments have  
24 been deposited in the account. Explain . . . . .  
25 . . . . .  
26 . . . . .

27 OTHER PROPERTY:

28 [ ] Describe property . . . . .  
29 . . . . .

30 (If you claim other personal property as exempt,  
31 you must attach a list of all other personal property  
32 that you own.)

33 . . . . .

34 Print: Your name If married or in a state  
35 registered domestic  
36 partnership,

|    |                  |                           |
|----|------------------|---------------------------|
| 1  |                  | name of husband/wife/     |
| 2  |                  | state registered domestic |
| 3  |                  | partner                   |
| 4  | .....            | .....                     |
| 5  | Your signature   | Signature of husband,     |
| 6  |                  | wife, or state registered |
| 7  |                  | domestic partner          |
| 8  | .....            | .....                     |
| 9  | .....            | .....                     |
| 10 | Address          | Address                   |
| 11 |                  | (if different from yours) |
| 12 | .....            | .....                     |
| 13 | Telephone number | Telephone number          |
| 14 |                  | (if different from yours) |

15 CAUTION: If the plaintiff objects to your claim, you will have to  
 16 go to court and give proof of your claim. For example, if you claim  
 17 that a bank account is exempt, you may have to show the judge your  
 18 bank statements and papers that show the source of the money you  
 19 deposited in the bank. Your claim may be granted more quickly if you  
 20 attach copies of such proof to your claim.

21 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
 22 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
 23 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
 24 PLAINTIFF'S ATTORNEY FEES.

25 (b) If the writ is directed to an employer to garnish earnings,  
 26 the claim form required by RCW 6.27.130(1) to be mailed to or served  
 27 on an individual judgment debtor shall be in the following form,  
 28 subject to (c) of this subsection, printed or typed in no smaller  
 29 than size twelve point font type:

30 [Caption to be filled in by judgment creditor  
 31 or plaintiff before mailing.]  
 32 .....  
 33 Name of Court  
 34 ..... No.....  
 35 Plaintiff,

vs.

EXEMPTION CLAIM

Defendant,

Garnishee Defendant

INSTRUCTIONS:

1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.
2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.

I/We claim the following money or property as exempt:

IF PENSION OR RETIREMENT BENEFITS ARE GARNISHED:

[ ] Name and address of employer who is paying the benefits:.....

IF EARNINGS ARE GARNISHED FOR CHILD SUPPORT:

[ ] I claim maximum exemption.

IF EARNINGS ARE GARNISHED FOR PRIVATE STUDENT LOAN DEBT:

[ ] I claim maximum exemption.

1 IF EARNINGS ARE GARNISHED FOR CONSUMER

2 DEBT:

3  I claim maximum exemption.

4 ..... ..

5 Print: Your name If married or in a state  
6 registered domestic  
7 partnership,  
8 name of husband/wife/state  
9 registered domestic partner

10 ..... ..

11 Your signature Signature of husband,  
12 wife, or state registered  
13 domestic partner

14 ..... ..

15 ..... ..

16 Address Address  
17 (if different from yours)

18 ..... ..

19 Telephone number Telephone number  
20 (if different from yours)

21 CAUTION: If the plaintiff objects to your claim, you will have to  
22 go to court and give proof of your claim. For example, if you claim  
23 that a bank account is exempt, you may have to show the judge your  
24 bank statements and papers that show the source of the money you  
25 deposited in the bank. Your claim may be granted more quickly if you  
26 attach copies of such proof to your claim.

27 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
28 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
29 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
30 PLAINTIFF'S ATTORNEY FEES.

31 (c) If the writ under (b) of this subsection is not a writ for  
32 the collection of child support, the exemption language pertaining to  
33 child support may be omitted.

34 (d) If the writ under (b) of this subsection is not a writ for  
35 the collection of private student loan debt, the exemption language  
36 pertaining to private student loan debt may be omitted.

1 (e) If the writ under (b) of this subsection is not a writ for  
2 the collection of consumer debt, the exemption language pertaining to  
3 consumer debt may be omitted.

4 **Sec. 7.** RCW 6.27.150 and 2018 c 199 s 207 are each amended to  
5 read as follows:

6 (1) Except as provided in subsections (2) and (3) of this  
7 section, if the garnishee is an employer owing the defendant  
8 earnings, then for each week of such earnings, an amount shall be  
9 exempt from garnishment which is the greatest of the following:

10 (a) Thirty-five times the federal minimum hourly wage in effect  
11 at the time the earnings are payable; or

12 (b) Seventy-five percent of the disposable earnings of the  
13 defendant.

14 (2) In the case of a garnishment based on a judgment or other  
15 order for child support or court order for spousal maintenance, other  
16 than a mandatory wage assignment order pursuant to chapter 26.18 RCW,  
17 or a mandatory assignment of retirement benefits pursuant to chapter  
18 41.50 RCW, the exemption shall be fifty percent of the disposable  
19 earnings of the defendant.

20 (3) In the case of a garnishment based on a judgment or other  
21 order for the collection of private student loan debt, for each week  
22 of such earnings, an amount shall be exempt from garnishment which is  
23 the greater of the following:

24 (a) Fifty times the minimum hourly wage of the highest minimum  
25 wage law in the state at the time the earnings are payable; or

26 (b) Eighty-five percent of the disposable earnings of the  
27 defendant.

28 (4) In the case of a garnishment based on a judgment or other  
29 order for the collection of consumer debt, for each week of such  
30 earnings, an amount shall be exempt from garnishment which is the  
31 greater of the following:

32 (a) Thirty-five times the state minimum hourly wage; or

33 (b) Eighty percent of the disposable earnings of the defendant.

34 (5) The exemptions stated in this section shall apply whether  
35 such earnings are paid, or are to be paid, weekly, monthly, or at  
36 other intervals, and whether earnings are due the defendant for one  
37 week, a portion thereof, or for a longer period.

38 ((+5)) (6) Unless directed otherwise by the court, the garnishee  
39 shall determine and deduct exempt amounts under this section as

1 directed in the writ of garnishment and answer, and shall pay these  
2 amounts to the defendant.

3 (~~(6)~~) (7) No money due or earned as earnings as defined in RCW  
4 6.27.010 shall be exempt from garnishment under the provisions of RCW  
5 6.15.010, as now or hereafter amended.

Passed by the House April 18, 2019.

Passed by the Senate April 15, 2019.

Approved by the Governor May 13, 2019.

Filed in Office of Secretary of State May 16, 2019.

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