

**2SSB 5160 - S AMD 259**

By Senator Hunt

**NOT ADOPTED 03/04/2021**

1 On page 18, after line 18, insert the following:

2 **"Sec. 13.** RCW 36.18.012 and 2009 c 479 s 20 and 2009 c 417 s 1  
3 are each reenacted and amended to read as follows:

4 (1) Revenue collected under this section is subject to division  
5 with the state.

6 (2) The party filing a transcript or abstract of judgment or  
7 verdict from a United States court held in this state, or from the  
8 superior court of another county or from a district court in the  
9 county of issuance, shall pay at the time of filing a fee of twenty  
10 dollars.

11 (3) The clerk shall collect a fee of twenty dollars for: Filing a  
12 document not related to or a part of a proceeding, civil or criminal,  
13 or a probate matter, required or permitted to be filed in the clerk's  
14 office for which no other charge is provided by law.

15 (4) ~~((If the defendant serves or files an answer to an unlawful  
16 detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff  
17 shall pay before proceeding with the unlawful detainer action one  
18 hundred twelve dollars.~~

19 ~~(5))~~ Any party filing a counterclaim, cross-claim, or third-  
20 party claim in an unlawful detainer action under chapter 59.18 or  
21 59.20 RCW shall pay the equivalent to the total filing fee of an  
22 unlawful detainer action pursuant to RCW 36.18.020 ~~((, including the  
23 fee for an unlawful detainer answer pursuant to subsection (4) of  
24 this section)).~~

25 ~~((6))~~ (5) For a restrictive covenant for filing a petition to  
26 strike discriminatory provisions in real estate under RCW 49.60.227 a  
27 fee of twenty dollars must be charged.

28 ~~((7))~~ (6) A fee of twenty dollars must be charged for filing a  
29 will only, when no probate of the will is contemplated.

30 ~~((8))~~ (7) A fee of twenty dollars must be charged for filing a  
31 petition, written agreement, or written memorandum in a nonjudicial

1 probate dispute under RCW 11.96A.220, if it is filed within an  
2 existing case in the same court.

3 ~~((9))~~ (8) A fee of thirty-five dollars must be charged for  
4 filing a petition regarding a common law lien under RCW 60.70.060.

5 ~~((10))~~ (9) For the filing of a tax warrant for unpaid taxes or  
6 overpayment of benefits by any agency of the state of Washington, a  
7 fee of five dollars on or after July 22, 2001, and for the filing of  
8 such a tax warrant or overpayment of benefits on or after July 1,  
9 2003, a fee of twenty dollars, of which forty-six percent of the  
10 first five dollars is directed to the state general fund.

11 **Sec. 14.** RCW 36.18.020 and 2018 c 269 s 17 are each amended to  
12 read as follows:

13 (1) Revenue collected under this section is subject to division  
14 with the state under RCW 36.18.025 and with the county or regional  
15 law library fund under RCW 27.24.070, except as provided in  
16 subsection (5) of this section.

17 (2) Clerks of superior courts shall collect the following fees  
18 for their official services:

19 (a) In addition to any other fee required by law, the party  
20 filing the first or initial document in any civil action~~((7))~~  
21 including, but not limited to an action for restitution, adoption, or  
22 change of name, and any party filing a counterclaim, cross-claim, or  
23 third-party claim in any such civil action, shall pay, at the time  
24 the document is filed, a fee of ~~((two hundred dollars))~~ \$200  
25 except~~((7 in an unlawful detainer action under chapter 59.18 or 59.20~~  
26 ~~RCW for which the plaintiff shall pay a case initiating filing fee of~~  
27 ~~forty-five dollars, or))~~ in proceedings filed under RCW 28A.225.030  
28 alleging a violation of the compulsory attendance laws where the  
29 petitioner shall not pay a filing fee. ~~((The forty-five dollar filing~~  
30 ~~fee under this subsection for an unlawful detainer action shall not~~  
31 ~~include an order to show cause or any other order or judgment except~~  
32 ~~a default order or default judgment in an unlawful detainer action.))~~

33 (b) Any party, except a defendant in a criminal case, filing the  
34 first or initial document on an appeal from a court of limited  
35 jurisdiction or any party on any civil appeal, shall pay, when the  
36 document is filed, a fee of ~~((two hundred dollars))~~ \$200.

37 (c) For filing of a petition for judicial review as required  
38 under RCW 34.05.514 a filing fee of ~~((two hundred dollars))~~ \$200.

1 (d) For filing of a petition for unlawful harassment under RCW  
2 10.14.040 a filing fee of (~~(fifty-three dollars)~~) \$53.

3 (e) For filing the notice of debt due for the compensation of a  
4 crime victim under RCW 7.68.120(2)(a) a fee of (~~(two hundred~~  
5 ~~dollars)~~) \$200.

6 (f) In probate proceedings, the party instituting such  
7 proceedings, shall pay at the time of filing the first document  
8 therein, a fee of (~~(two hundred dollars)~~) \$200.

9 (g) For filing any petition to contest a will admitted to probate  
10 or a petition to admit a will which has been rejected, or a petition  
11 objecting to a written agreement or memorandum as provided in RCW  
12 11.96A.220, there shall be paid a fee of (~~(two hundred dollars)~~)  
13 \$200.

14 (h) Upon conviction or plea of guilty, upon failure to prosecute  
15 an appeal from a court of limited jurisdiction as provided by law, or  
16 upon affirmance of a conviction by a court of limited jurisdiction,  
17 an adult defendant in a criminal case shall be liable for a fee of  
18 (~~(two hundred dollars)~~) \$200, except this fee shall not be imposed on  
19 a defendant who is indigent as defined in RCW 10.101.010(3) (a)  
20 through (c).

21 (i) With the exception of demands for jury hereafter made and  
22 garnishments hereafter issued, civil actions and probate proceedings  
23 filed prior to midnight, July 1, 1972, shall be completed and  
24 governed by the fee schedule in effect as of January 1, 1972.  
25 However, no fee shall be assessed if an order of dismissal on the  
26 clerk's record be filed as provided by rule of the supreme court.

27 (3) No fee shall be collected when a petition for relinquishment  
28 of parental rights is filed pursuant to RCW 26.33.080 or for forms  
29 and instructional brochures provided under RCW 26.50.030.

30 (4) No fee shall be collected when an abstract of judgment is  
31 filed by the county clerk of another county for the purposes of  
32 collection of legal financial obligations.

33 (5)(a) Until July 1, 2021, in addition to the fees required to be  
34 collected under this section, clerks of the superior courts must  
35 collect surcharges as provided in this subsection (5) of which  
36 (~~(seventy-five)~~) 75 percent must be remitted to the state treasurer  
37 for deposit in the judicial stabilization trust account and (~~(twenty-~~  
38 ~~five)~~) 25 percent must be retained by the county.

1 (b) On filing fees required to be collected under subsection  
2 (2)(b) of this section, a surcharge of (~~thirty dollars~~) \$30 must be  
3 collected.

4 (c) On all filing fees required to be collected under this  
5 section, except for fees required under subsection (2)(b), (d), and  
6 (h) of this section, a surcharge of (~~forty dollars~~) \$40 must be  
7 collected."

8 Renumber the remaining sections consecutively and correct any  
9 internal references accordingly.

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10 On page 1, line 6 of the title, after "59.18.365," insert  
11 "36.18.020,"

12 On page 1, line 7 of the title, after "43.31.605" insert "  
13 36.18.012,"

EFFECT: Eliminates bifurcation of the unlawful detainer filing  
fee and implements an initial filing fee of \$200, consistent with  
other civil action filing fees.

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