

# SENATE BILL REPORT

## SHB 1532

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As Passed Senate, April 15, 2021

**Title:** An act relating to court filing fees.

**Brief Description:** Concerning court filing fees.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Ormsby, Lekanoff, Harris-Talley and Macri).

**Brief History:** Passed House: 4/5/21, 63-35.

**Committee Activity:** Ways & Means: 4/10/21, 4/12/21 [DP].

**Floor Activity:** Passed Senate: 4/15/21, 37-11.

### Brief Summary of Bill

- Eliminates the expiration date for surcharges on court filing fees deposited into the Judicial Stabilization Trust Account.

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Braun, Carlyle, Conway, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Liias, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

**Staff:** Trevor Press (786-7446)

**Background:** Filing Fees. Superior and district courts are authorized to collect filing fees and other fees for court services. Revenue from superior court filing fees is split with 46 percent going to the state and the remainder going to the county. Revenue from district

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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 part of the legislation nor does it constitute a statement of legislative intent.*

court filing fees is split with 32 percent going to the state and the remainder going to the county.

Surcharges on Filing Fees. Legislation enacted in 2009 authorized temporary surcharges on filing fees in superior and district courts. Superior court filings were subject to a \$30 surcharge, except filings of an appeal from a court of limited jurisdiction, where the surcharge was \$20. District court filings were subject to a \$20 surcharge, except small claims filings, which were subject to a \$10 surcharge.

Legislation enacted in 2011 clarified the revenue split from the surcharges between the state and the county collecting the fee, with 75 percent going to the state and 25 percent going to the county. Local revenue going to the counties from the surcharges must be used to support local trial courts and court-related costs. State revenue from the surcharges must be remitted to the state treasurer for deposit into the Judicial Stabilization Trust Account. Expenditures from the account may only be used for the support of judicial branch agencies.

Legislation enacted in 2012 increased the surcharge on Superior court filings from \$30 to \$40 and legislation enacted in 2013 and in 2017 extended the expiration date for the surcharges until July 1, 2021.

**Summary of Bill:** The expiration date for surcharges on superior court and district court filings is eliminated.

**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, 2021.

**Staff Summary of Public Testimony:** PRO: Surcharges are a backfill for judicial offices to make general fund savings. Without funding, there will be many programs the courts are required to fund and are helpful for the state, that will need to be paid for using the general fund. Many of these services are especially critical as we come out of the pandemic.

**Persons Testifying:** PRO: Devon Connor-Green, The Administrative Office of the Courts.

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