

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1961**

67th Legislature  
2022 Regular Session

Passed by the House January 26, 2022  
Yeas 84 Nays 13

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**Speaker of the House of  
Representatives**

Passed by the Senate March 3, 2022  
Yeas 31 Nays 16

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**President of the Senate**

Approved

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**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 1961** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1961**

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Passed Legislature - 2022 Regular Session

**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** House Civil Rights & Judiciary (originally sponsored by Representatives Peterson and Ramel)

READ FIRST TIME 01/24/22.

1           AN ACT Relating to the authority of the courts to waive auditor's  
2 fees for filing and recording name change orders; amending RCW  
3 4.24.130 and 36.18.010; and providing an effective date.

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

5           **Sec. 1.** RCW 4.24.130 and 2021 c 215 s 90 are each amended to  
6 read as follows:

7           (1) Any person desiring a change of (~~his or her~~) the person's  
8 name or that of (~~his or her~~) the person's child or ward, may apply  
9 therefor to the district court of the judicial district in which (~~he~~  
10 ~~or she~~) the person resides, by petition setting forth the reasons  
11 for such change; thereupon such court in its discretion may order a  
12 change of the name and thenceforth the new name shall be in place of  
13 the former.

14           (2) An offender under the jurisdiction of the department of  
15 corrections who applies to change (~~his or her~~) the offender's name  
16 under subsection (1) of this section shall submit a copy of the  
17 application to the department of corrections not fewer than five days  
18 before the entry of an order granting the name change. No offender  
19 under the jurisdiction of the department of corrections at the time  
20 of application shall be granted an order changing (~~his or her~~) the  
21 offender's name if the court finds that doing so will interfere with

1 legitimate penological interests, except that no order shall be  
2 denied when the name change is requested for religious or legitimate  
3 cultural reasons or in recognition of marriage or dissolution of  
4 marriage. An offender under the jurisdiction of the department of  
5 corrections who receives an order changing (~~his or her~~) the  
6 offender's name shall submit a copy of the order to the department of  
7 corrections within five days of the entry of the order. Violation of  
8 this subsection is a misdemeanor.

9 (3) A sex offender subject to registration under RCW 9A.44.130  
10 who applies to change (~~his or her~~) the sex offender's name under  
11 subsection (1) of this section shall follow the procedures set forth  
12 in RCW 9A.44.130(7).

13 (4) The district court shall collect the fees authorized by RCW  
14 36.18.010 for filing and recording a name change order, and transmit  
15 the fee and the order to the county auditor. The court may collect a  
16 reasonable fee to cover the cost of transmitting the order to the  
17 county auditor. Upon affidavit by the person seeking the name change  
18 that the person is unable to pay the fees due to financial hardship,  
19 the court shall waive all fees for filing and recording a name change  
20 order and direct the county auditor or recording officer to process  
21 the name change order at no expense to the person. The court may not  
22 wave the fees if the person has received victim compensation for  
23 name change fees.

24 (5) Name change petitions may be filed and shall be heard in  
25 superior court when the person desiring a change of (~~his or her~~)  
26 the person's name or that of (~~his or her~~) the person's child or  
27 ward is a victim of domestic violence as defined in RCW 7.105.010 and  
28 the person seeks to have the name change file sealed due to  
29 reasonable fear for (~~his or her~~) the person's safety or that of  
30 (~~his or her~~) the person's child or ward. Upon granting the name  
31 change, the superior court shall seal the file if the court finds  
32 that the safety of the person seeking the name change or (~~his or~~  
33 ~~her~~) the person's child or ward warrants sealing the file. In all  
34 cases filed under this subsection, whether or not the name change  
35 petition is granted, there shall be no public access to any court  
36 record of the name change filing, proceeding, or order, unless the  
37 name change is granted but the file is not sealed.

38 **Sec. 2.** RCW 36.18.010 and 2019 c 448 s 3 are each amended to  
39 read as follows:

1           ((County)) Except as otherwise ordered by the court pursuant to  
2 RCW 4.24.130, county auditors or recording officers shall collect the  
3 following fees for their official services:

4           (1) For recording instruments, for the first page eight and one-  
5 half by fourteen inches or less, five dollars; for each additional  
6 page eight and one-half by fourteen inches or less, one dollar. The  
7 fee for recording multiple transactions contained in one instrument  
8 will be calculated for each transaction requiring separate indexing  
9 as required under RCW 65.04.050 as follows: The fee for each title or  
10 transaction is the same fee as the first page of any additional  
11 recorded document; the fee for additional pages is the same fee as  
12 for any additional pages for any recorded document; the fee for the  
13 additional pages may be collected only once and may not be collected  
14 for each title or transaction;

15           (2) For preparing and certifying copies, for the first page eight  
16 and one-half by fourteen inches or less, three dollars; for each  
17 additional page eight and one-half by fourteen inches or less, one  
18 dollar;

19           (3) For preparing noncertified copies, for each page eight and  
20 one-half by fourteen inches or less, one dollar;

21           (4) For administering an oath or taking an affidavit, with or  
22 without seal, two dollars;

23           (5) For issuing a marriage license, eight dollars, (this fee  
24 includes taking necessary affidavits, filing returns, indexing, and  
25 transmittal of a record of the marriage to the state registrar of  
26 vital statistics) plus an additional five dollar fee for use and  
27 support of the prevention of child abuse and neglect activities to be  
28 transmitted monthly to the state treasurer and deposited in the state  
29 general fund plus an additional ten dollar fee to be transmitted  
30 monthly to the state treasurer and deposited in the state general  
31 fund. The legislature intends to appropriate an amount at least equal  
32 to the revenue generated by this fee for the purposes of the  
33 displaced homemaker act, chapter 28B.04 RCW;

34           (6) For searching records per hour, eight dollars;

35           (7) For recording plats, fifty cents for each lot except cemetery  
36 plats for which the charge shall be twenty-five cents per lot; also  
37 one dollar for each acknowledgment, dedication, and description:  
38 PROVIDED, That there shall be a minimum fee of twenty-five dollars  
39 per plat;

1 (8) For recording of miscellaneous records not listed above, for  
2 the first page eight and one-half by fourteen inches or less, five  
3 dollars; for each additional page eight and one-half by fourteen  
4 inches or less, one dollar;

5 (9) For modernization and improvement of the recording and  
6 indexing system, a surcharge as provided in RCW 36.22.170;

7 (10) For recording an emergency nonstandard document as provided  
8 in RCW 65.04.047, fifty dollars, in addition to all other applicable  
9 recording fees;

10 (11) For recording instruments, a three dollar surcharge to be  
11 deposited into the Washington state library operations account  
12 created in RCW 43.07.129;

13 (12) For recording instruments, a two dollar surcharge to be  
14 deposited into the Washington state library-archives building account  
15 created in RCW 43.07.410 until the financing contract entered into by  
16 the secretary of state for the Washington state library-archives  
17 building is paid in full;

18 (13) For recording instruments, a surcharge as provided in RCW  
19 36.22.178; and

20 (14) For recording instruments, except for documents recording a  
21 birth, marriage, divorce, or death or any documents otherwise  
22 exempted from a recording fee under state law, a surcharge as  
23 provided in RCW 36.22.179.

24 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2022.

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