

ESSB 5173 - H COMM AMD

By Committee on Civil Rights & Judiciary

ADOPTED AND ENGROSSED 04/07/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 6.15.010 and 2021 c 50 s 2 are each amended to read
4 as follows:

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

7 (a) All wearing apparel of every individual and family, but not
8 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in
9 furs, jewelry, and personal ornaments for any individual.

10 (b) All private libraries including electronic media, which
11 includes audiovisual, entertainment, or reference media in digital or
12 analogue format, of every individual, but not to exceed (~~three
13 thousand five hundred dollars~~) \$3,500 in value, and all family
14 pictures and keepsakes.

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

16 (d) To each individual or, as to community property of spouses
17 maintaining a single household as against a creditor of the
18 community, to the community, provided that each spouse is entitled to
19 his or her own exemptions in this subsection (1)(d):

20 (i) (~~The individual's or community's~~) All household goods,
21 appliances, furniture, and home and yard equipment, not to exceed
22 (~~six thousand five hundred dollars~~) \$6,500 in value for the
23 individual (~~or thirteen thousand dollars for the community, no
24 single item to exceed seven hundred fifty dollars~~), said amount to
25 include provisions and fuel for (~~the~~) comfortable maintenance (~~of
26 the individual or community~~);

27 (ii) In a bankruptcy case, any other personal property, except
28 personal earnings as provided under RCW 6.15.050(1), not to exceed
29 \$10,000 in value. The value shall be determined as of the date the
30 bankruptcy petition is filed;

31 (iii) Other than in a bankruptcy case as described in (d)(ii) of
32 this subsection, other personal property, except personal earnings as

1 provided under RCW 6.15.050(1), not to exceed (~~three thousand~~
2 ~~dollars~~) \$3,000 in value, (~~of which not more than one thousand five~~
3 ~~hundred dollars in value may consist of cash, and~~) of which not more
4 than:

5 (A) For all debts except private student loan debt and consumer
6 debt, (~~five hundred dollars~~) \$500 in value may consist of bank
7 accounts, savings and loan accounts, stocks, bonds, or other
8 securities. The maximum exemption under this subsection (1)(d)
9 (~~(i)~~) (iii)(A) shall be automatically protected and may not exceed
10 (~~five hundred dollars~~) \$500, regardless of the number of existing
11 separate bank accounts, savings and loan accounts, stocks, bonds, or
12 other securities.

13 (B) For all private student loan debt, (~~two thousand five~~
14 ~~hundred dollars~~) \$2,500 in value may consist of bank accounts,
15 savings and loan accounts, stocks, bonds, or other securities. \$1,000
16 in value shall be automatically protected. The maximum exemption
17 under this subsection (1)(d) (~~(i)~~) (iii)(B) may not exceed (~~two~~
18 ~~thousand five hundred dollars~~) \$2,500, regardless of the number of
19 existing separate bank accounts, savings and loan accounts, stocks,
20 bonds, or other securities.

21 (C) For all consumer debt, (~~two thousand dollars~~) \$2,000 in
22 value may consist of bank accounts, savings and loan accounts,
23 stocks, bonds, or other securities. \$1,000 in value shall be
24 automatically protected. The maximum exemption under this subsection
25 (1)(d) (~~(i)~~) (iii)(C) may not exceed (~~two thousand dollars~~)
26 \$2,000, regardless of the number of existing separate bank accounts,
27 savings and loan accounts, stocks, bonds, or other securities;

28 (~~(iii) For an individual, a~~) (iv) A motor vehicle (~~used for~~
29 ~~personal transportation,~~) not to exceed (~~three thousand two hundred~~
30 ~~fifty dollars or for a community two motor vehicles used for personal~~
31 ~~transportation, not to exceed six thousand five hundred dollars~~)
32 \$15,000 in aggregate value;

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

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

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

1 debtor is a dependent; or the right to or proceeds of a payment in
2 compensation of loss of future earnings of the debtor or an
3 individual of whom the debtor is or was a dependent, to the extent
4 reasonably necessary for the support of the debtor and any dependent
5 of the debtor; and

6 (viii) In a bankruptcy case, the right to or proceeds of personal
7 injury of the debtor or an individual of whom the debtor is a
8 dependent; or the right to or proceeds of a payment in compensation
9 of loss of future earnings of the debtor or an individual of whom the
10 debtor is or was a dependent are free of the enforcement of the
11 claims of creditors, except to the extent such claims are for the
12 satisfaction of any liens or subrogation claims arising out of the
13 claims for personal injury or death. The exemption under this
14 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the
15 state of Washington, or any agent or assignee of the state, as a
16 lienholder or subrogee under RCW 43.20B.060.

17 (e) ~~((To each qualified individual, one of the following~~
18 ~~exemptions:~~

19 ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~
20 ~~equipment, supplies and seed, not to exceed ten thousand dollars in~~
21 ~~value;~~

22 ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~
23 ~~other professional person, the individual's library, office~~
24 ~~furniture, office equipment and supplies, not to exceed ten thousand~~
25 ~~dollars in value;~~

26 ~~(iii)) To any ((other)) individual, the tools ((and)),~~
27 ~~instruments ((and)), materials, and supplies used to carry on his or~~
28 ~~her trade ((for the support of himself or herself or family,)) not to~~
29 ~~exceed ((ten thousand dollars)) \$15,000 in value.~~

30 (f) Tuition units, under chapter 28B.95 RCW, purchased more than
31 two years prior to the date of a bankruptcy filing or court judgment,
32 and contributions to any other qualified tuition program under 26
33 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and
34 to a Coverdell education savings account, also known as an education
35 individual retirement account, under 26 U.S.C. Sec. 530 of the
36 internal revenue code of 1986, as amended, contributed more than two
37 years prior to the date of a bankruptcy filing or court judgment.

38 (2) For purposes of this section, "value" means the reasonable
39 market value of the debtor's interest in an article or item at the

1 time it is selected for exemption, exclusive of all liens and
2 encumbrances thereon.

3 (3) In the case of married persons, each spouse is entitled to
4 the exemptions provided in this section, which may be combined with
5 the other spouse's exemption in the same property or taken in
6 different exempt property.

7 **Sec. 2.** RCW 6.15.010 and 2019 c 371 s 3 are each amended to read
8 as follows:

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

11 (a) All wearing apparel of every individual and family, but not
12 to exceed (~~three thousand five hundred dollars~~) \$3,500 in value in
13 furs, jewelry, and personal ornaments for any individual.

14 (b) All private libraries including electronic media, which
15 includes audiovisual, entertainment, or reference media in digital or
16 analogue format, of every individual, but not to exceed (~~three~~
17 ~~thousand five hundred dollars~~) \$3,500 in value, and all family
18 pictures and keepsakes.

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

20 (d) To each individual or, as to community property of spouses
21 maintaining a single household as against a creditor of the
22 community, to the community, provided that each spouse is entitled to
23 his or her own exemptions in this subsection (1)(d):

24 (i) (~~The individual's or community's~~) All household goods,
25 appliances, furniture, and home and yard equipment, not to exceed
26 (~~six thousand five hundred dollars~~) \$6,500 in value for the
27 individual (~~or thirteen thousand dollars for the community, no~~
28 ~~single item to exceed seven hundred fifty dollars~~), said amount to
29 include provisions and fuel for (~~the~~) comfortable maintenance (~~of~~
30 ~~the individual or community~~);

31 (ii) In a bankruptcy case, any other personal property, except
32 personal earnings as provided under RCW 6.15.050(1), not to exceed
33 \$10,000 in value. The value shall be determined as of the date the
34 bankruptcy petition is filed;

35 (iii) Other than in a bankruptcy case as described in (d)(ii) of
36 this subsection, other personal property, except personal earnings as
37 provided under RCW 6.15.050(1), not to exceed (~~three thousand~~
38 dollars)) \$3,000 in value, (~~of which not more than one thousand five~~

1 ~~hundred dollars in value may consist of cash, and~~) of which not more
2 than:

3 (A) For all debts except private student loan debt and consumer
4 debt, (~~five hundred dollars~~) \$500 in value may consist of bank
5 accounts, savings and loan accounts, stocks, bonds, or other
6 securities. The maximum exemption under this subsection (1)(d)
7 (~~(ii)~~) (iii)(A) may not exceed (~~five hundred dollars~~) \$500,
8 regardless of the number of existing separate bank accounts, savings
9 and loan accounts, stocks, bonds, or other securities.

10 (B) For all private student loan debt, (~~two thousand five~~
11 ~~hundred dollars~~) \$2,500 in value may consist of bank accounts,
12 savings and loan accounts, stocks, bonds, or other securities. The
13 maximum exemption under this subsection (1)(d) (~~(ii)~~) (iii)(B) may
14 not exceed (~~two thousand five hundred dollars~~) \$2,500, regardless
15 of the number of existing separate bank accounts, savings and loan
16 accounts, stocks, bonds, or other securities.

17 (C) For all consumer debt, (~~two thousand dollars~~) \$2,000 in
18 value may consist of bank accounts, savings and loan accounts,
19 stocks, bonds, or other securities. The maximum exemption under this
20 subsection (1)(d) (~~(ii)~~) (iii)(C) may not exceed (~~two thousand~~
21 ~~dollars~~) \$2,000, regardless of the number of existing separate bank
22 accounts, savings and loan accounts, stocks, bonds, or other
23 securities;

24 (~~(iii) For an individual, a~~) (iv) A motor vehicle (~~used for~~
25 ~~personal transportation,~~) not to exceed (~~three thousand two hundred~~
26 ~~fifty dollars or for a community two motor vehicles used for personal~~
27 ~~transportation, not to exceed six thousand five hundred dollars~~)
28 \$15,000 in aggregate value;

29 (~~(iv)~~) (v) Any past due, current, or future child support paid
30 or owed to the debtor, which can be traced;

31 (~~(v)~~) (vi) All professionally prescribed health aids for the
32 debtor or a dependent of the debtor; (~~and~~

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

1 reasonably necessary for the support of the debtor and any dependent
2 of the debtor; and

3 (viii) In a bankruptcy case, the right to or proceeds of personal
4 injury of the debtor or an individual of whom the debtor is a
5 dependent; or the right to or proceeds of a payment in compensation
6 of loss of future earnings of the debtor or an individual of whom the
7 debtor is or was a dependent are free of the enforcement of the
8 claims of creditors, except to the extent such claims are for the
9 satisfaction of any liens or subrogation claims arising out of the
10 claims for personal injury or death. The exemption under this
11 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the
12 state of Washington, or any agent or assignee of the state, as a
13 lienholder or subrogee under RCW 43.20B.060.

14 (e) ~~((To each qualified individual, one of the following~~
15 ~~exemptions:~~

16 ~~(i) To a farmer, farm trucks, farm stock, farm tools, farm~~
17 ~~equipment, supplies and seed, not to exceed ten thousand dollars in~~
18 ~~value;~~

19 ~~(ii) To a physician, surgeon, attorney, member of the clergy, or~~
20 ~~other professional person, the individual's library, office~~
21 ~~furniture, office equipment and supplies, not to exceed ten thousand~~
22 ~~dollars in value;~~

23 ~~((iii))~~ To any ~~((other))~~ individual, the tools ~~((and))~~,
24 instruments ~~((and))~~, materials, and supplies used to carry on his or
25 her trade ~~((for the support of himself or herself or family,))~~ not to
26 exceed ~~((ten thousand dollars))~~ \$15,000 in value.

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

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

39 (3) In the case of married persons, each spouse is entitled to
40 the exemptions provided in this section, which may be combined with

1 the other spouse's exemption in the same property or taken in
2 different exempt property.

3 **Sec. 3.** RCW 51.32.040 and 2013 c 125 s 6 are each amended to
4 read as follows:

5 (1) Except as provided in RCW 43.20B.720, 72.09.111, 74.20A.260,
6 and 51.32.380, no money paid or payable under this title shall,
7 (~~before the issuance and delivery of the payment,~~) be assigned,
8 charged, or taken in execution, attached, garnished, or pass or be
9 paid to any other person by operation of law, any form of voluntary
10 assignment, or power of attorney. Any such assignment or charge is
11 void unless the transfer is to a financial institution at the request
12 of a worker or other beneficiary and made in accordance with RCW
13 51.32.045. Payments retain their exempt status even after issuance.

14 (2)(a) If any worker suffers (i) a permanent partial injury and
15 dies from some other cause than the accident which produced the
16 injury before he or she receives payment of the award for the
17 permanent partial injury or (ii) any other injury before he or she
18 receives payment of any monthly installment covering any period of
19 time before his or her death, the amount of the permanent partial
20 disability award or the monthly payment, or both, shall be paid to
21 the surviving spouse or the child or children if there is no
22 surviving spouse. If there is no surviving spouse and no child or
23 children, the award or the amount of the monthly payment shall be
24 paid by the department or self-insurer and distributed consistent
25 with the terms of the decedent's will or, if the decedent dies
26 intestate, consistent with the terms of RCW 11.04.015.

27 (b) If any worker suffers an injury and dies from it before he or
28 she receives payment of any monthly installment covering time loss
29 for any period of time before his or her death, the amount of the
30 monthly payment shall be paid to the surviving spouse or the child or
31 children if there is no surviving spouse. If there is no surviving
32 spouse and no child or children, the amount of the monthly payment
33 shall be paid by the department or self-insurer and distributed
34 consistent with the terms of the decedent's will or, if the decedent
35 dies intestate, consistent with the terms of RCW 11.04.015.

36 (c) Any application for compensation under this subsection (2)
37 shall be filed with the department or self-insuring employer within
38 one year of the date of death. The department or self-insurer may
39 satisfy its responsibilities under this subsection (2) by sending any

1 payment due in the name of the decedent and to the last known address
2 of the decedent.

3 (3) (a) Any worker or beneficiary receiving benefits under this
4 title who is subsequently confined in, or who subsequently becomes
5 eligible for benefits under this title while confined in, any
6 institution under conviction and sentence shall have all payments of
7 the compensation canceled during the period of confinement. After
8 discharge from the institution, payment of benefits due afterward
9 shall be paid if the worker or beneficiary would, except for the
10 provisions of this subsection (3), otherwise be entitled to them.

11 (b) If any prisoner is injured in the course of his or her
12 employment while participating in a work or training release program
13 authorized by chapter 72.65 RCW and is subject to the provisions of
14 this title, he or she is entitled to payments under this title,
15 subject to the requirements of chapter 72.65 RCW, unless his or her
16 participation in the program has been canceled, or unless he or she
17 is returned to a state correctional institution, as defined in RCW
18 72.65.010(3), as a result of revocation of parole or new sentence.

19 (c) If the confined worker has any beneficiaries during the
20 confinement period during which benefits are canceled under (a) or
21 (b) of this subsection, they shall be paid directly the monthly
22 benefits which would have been paid to the worker for himself or
23 herself and the worker's beneficiaries had the worker not been
24 confined.

25 (4) Any lump sum benefits to which a worker would otherwise be
26 entitled but for the provisions of this section shall be paid on a
27 monthly basis to his or her beneficiaries.

28 **Sec. 4.** RCW 6.27.100 and 2021 c 50 s 3 are each amended to read
29 as follows:

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

33 (a) If the writ is issued under an order or judgment for child
34 support, the following statement shall appear conspicuously in the
35 caption: "This garnishment is based on a judgment or order for child
36 support";

37 (b) If the writ is issued under an order or judgment for private
38 student loan debt, the following statement shall appear conspicuously

1 in the caption: "This garnishment is based on a judgment or order for
2 private student loan debt";

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

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

9 "IN THE COURT
10 OF THE STATE OF WASHINGTON IN AND FOR
11 THE COUNTY OF

12 ,
13 Plaintiff, No.

14 vs.

15 , WRIT OF
16 Defendant, GARNISHMENT

17 ,
18 Garnishee

19 THE STATE OF WASHINGTON TO:

20 Garnishee

21 AND TO:

22 Defendant

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

28 Balance on Judgment or Amount of Claim \$....

29 Interest under Judgment from to \$....

30 Per Day Rate of Estimated Interest \$....

31 per day

32 Taxable Costs and Attorneys' Fees \$....

33 Estimated Garnishment Costs:

34 Filing and Ex Parte Fees \$....

35 Service and Affidavit Fees \$....

36 Postage and Costs of Certified Mail \$....

1	Answer Fee or Fees	\$....
2	Garnishment Attorney Fee	\$....
3	Other	\$....

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

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

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

24 FOR ALL DEBTS EXCEPT PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

25 If you are a bank or other institution in which the defendant has
26 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
27 (iii)(A) applies and the total of the amounts held in all of the
28 defendant's accounts is less than or equal to \$500, release all funds
29 or property to the defendant and do not hold any amount. However, if
30 you have documentation that the funds in the account are the
31 community property of married persons or domestic partners, and if
32 the total of the amounts held in all of the combined accounts of the
33 married persons or domestic partners is less than or equal to \$1,000,
34 then release all funds or property to the defendant and do not hold
35 any amount.

36 If you are a bank or other institution in which the defendant has
37 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
38 (iii)(A) applies and the total of the amounts held in all of the
39 defendant's accounts is in excess of \$500, release at least \$500,

1 hold no more than the amount set forth in the first paragraph of this
2 writ and any processing fee if one is charged, and release additional
3 funds or property, if any, to the defendant. However, if you have
4 documentation that the funds in the account are the community
5 property of married persons or domestic partners, and if the total of
6 the amounts held in all of the combined accounts of the married
7 persons or domestic partners is in excess of \$1,000, release at least
8 \$1,000, hold no more than the amount set forth in the first paragraph
9 of this writ and any processing fee if one is charged, and release
10 additional funds or property, if any, to the defendant.

11 FOR PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

12 If you are a bank or other institution in which the defendant has
13 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
14 (iii) (B) or (C) applies and the total of the amounts held in all of
15 the defendant's accounts is less than or equal to \$1,000, release all
16 funds or property to the defendant and do not hold any amount.
17 However, if you have documentation that the funds in the account are
18 the community property of married persons or domestic partners, and
19 if the total of the amounts held in all of the combined accounts of
20 the married persons or domestic partners is less than or equal to
21 \$2,000, then release all funds or property to the defendant and do
22 not hold any amount.

23 If you are a bank or other institution in which the defendant has
24 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
25 (iii) (B) or (C) applies and the total of the amounts held in all of
26 the defendant's accounts is in excess of \$1,000, release at least
27 \$1,000, hold no more than the amount set forth in the first paragraph
28 of this writ and any processing fee if one is charged, and release
29 additional funds or property, if any, to the defendant. However, if
30 you have documentation that the funds in the account are the
31 community property of married persons or domestic partners, and if
32 the total of the amounts held in all of the combined accounts of the
33 married persons or domestic partners is in excess of \$2,000, release
34 at least \$2,000, hold no more than the amount set forth in the first
35 paragraph of this writ and any processing fee if one is charged, and
36 release additional funds or property, if any, to the defendant.

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

1 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED
2 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT
3 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

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

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

9 [Seal]

10
11 Attorney for Clerk of
12 Plaintiff (or the Court
13 Plaintiff, if no
14 attorney)
15
16 Address By
17
18 Name of Defendant Address"
19
20 Address of Defendant

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

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

29 Dated thisday of....., (year)
30
31 Attorney for Plaintiff
32
33 Address Address of the Clerk of the
34 Court"
35

1 Name of Defendant

2

3 Address of Defendant

4 **Sec. 5.** RCW 6.27.140 and 2021 c 35 s 2 are each amended to read
5 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. A garnishment against wages
25 or other earnings for child support may not be issued under
26 chapter 6.27 RCW. If the garnishment is for private student
27 loan debt, the exempt amount paid to you will be the greater
28 of the following: A percent of your disposable earnings,
29 which is eighty-five percent of the part of your earnings
30 remaining after your employer deducts those amounts which are
31 required by law to be withheld, or fifty times the minimum
32 hourly wage of the highest minimum wage law in the state at
33 the time the earnings are payable. If the garnishment is for
34 consumer debt, the exempt amount paid to you will be the
35 greater of the following: A percent of your disposable
36 earnings, which is eighty percent of the part of your
37 earnings remaining after your employer deducts those amounts

1 which are required by law to be withheld, or thirty-five
2 times the state minimum hourly wage.

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

18 OTHER EXEMPTIONS. If the garnishee holds other property of
19 yours, some or all of it may be exempt under RCW 6.15.010, a
20 Washington statute that exempts certain property of your
21 choice (including, if the judgment is for private student
22 loan debt, up to \$2,500.00 in a bank account ((if you owe on
23 private student loan debts;)), or for a marital community or
24 domestic partnership up to \$5,000.00 in a bank account; if
25 the judgment is for other consumer debt, up to \$2,000.00 in a
26 bank account ((if you owe on consumer debts; or)), or for a
27 marital community or domestic partnership up to \$4,000.00 in
28 a bank account; or, if the judgment is for any other debts,
29 up to \$500.00 in a bank account ((for all other debts)), or
30 for a marital community or domestic partnership up to
31 \$1,000.00 in a bank account) and certain other property such
32 as household furnishings, tools of trade, and a motor vehicle
33 (all limited by differing dollar values).

34 HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and
35 mail or deliver it as described in instructions on the claim
36 form. If the plaintiff does not object to your claim, the
37 funds or other property that you have claimed as exempt must
38 be released not later than 10 days after the plaintiff
39 receives your claim form. If the plaintiff objects, the law

1 requires a hearing not later than 14 days after the plaintiff
2 receives your claim form, and notice of the objection and
3 hearing date will be mailed to you at the address that you
4 put on the claim form.

5 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,
6 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,
7 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY
8 DELAY.

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

14 [Caption to be filled in by judgment creditor
15 or plaintiff before mailing.]

16 Name of Court

17 No

18 Plaintiff,

19 vs.

20 EXEMPTION CLAIM

21 Defendant,

22 Garnishee Defendant

23 INSTRUCTIONS:

- 24 1. Read this whole form after reading the enclosed
25 notice. Then put an X in the box or boxes that
26 describe your exemption claim or claims and write
27 in the necessary information on the blank lines. If
28 additional space is needed, use the bottom of the
29 last page or attach another sheet.

1 2. Make two copies of the completed form. Deliver
2 the original form by first-class mail or in person to
3 the clerk of the court, whose address is shown at
4 the bottom of the writ of garnishment. Deliver one
5 of the copies by first-class mail or in person to the
6 plaintiff or plaintiff's attorney, whose name and
7 address are shown at the bottom of the writ. Keep
8 the other copy. YOU SHOULD DO THIS AS
9 QUICKLY AS POSSIBLE, BUT NO LATER
10 THAN 28 DAYS (4 WEEKS) AFTER THE DATE
11 ON THE WRIT.

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

13 IF BANK ACCOUNT IS GARNISHED:

14 The account contains payments from:

15 Temporary assistance for needy families, SSI, or
16 other public assistance. I receive \$
17 monthly.

18 Social Security. I receive \$ monthly.

19 Veterans' Benefits. I receive \$ monthly.

20 Federally qualified pension, such as a state or
21 federal pension, individual retirement account
22 (IRA), or 401K plan. I receive \$ monthly.

23 Unemployment Compensation. I receive \$
24 monthly.

25 Child support. I receive \$ monthly.

26 Other. Explain

27 (~~\$2,500 exemption for private student loan debts.~~

28 ~~\$2,000 exemption for consumer debts.~~

29 ~~\$500 exemption for all other debts.))~~

30 I/We claim the following exemptions:

31 Exemption for private student loan debts:

32 \$2,500 for an individual; or

33 \$5,000 for a marital community or domestic
34 partnership.

35 Exemption for consumer debts:

36 \$2,000 for an individual; or

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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 PRIVATE STUDENT LOAN DEBT:

I claim maximum exemption.

IF EARNINGS ARE GARNISHED FOR CONSUMER DEBT:

I claim maximum exemption.

.....

Print: Your name	If married or in a state registered domestic partnership, name of husband/wife/state registered domestic partner
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((..... Your signature Signature of husband,
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wife, or state registered
domestic partner))

.....

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Address Address

(if different from yours)

.....

Telephone number Telephone number

(if different from yours)

....

Your signature

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

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

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

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

NEW SECTION. **Sec. 6.** Sections 1 and 4 of this act expire July 1, 2025.

NEW SECTION. **Sec. 7.** Section 2 of this act takes effect July 1, 2025."

Correct the title.

--- END ---