

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1420**

Chapter 76, Laws of 2023

68th Legislature  
2023 Regular Session

MORTGAGES AND DEEDS OF TRUST—LIEN PRIORITY

EFFECTIVE DATE: July 23, 2023

Passed by the House February 28, 2023  
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 31, 2023  
Yeas 48 Nays 0

DENNY HECK

**President of the Senate**

Approved April 13, 2023 9:53 AM

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 **HOUSE BILL 1420** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

April 13, 2023

**Secretary of State  
State of Washington**

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HOUSE BILL 1420

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Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Hackney, Corry, Walen, and Ormsby

Read first time 01/18/23. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to lien priority of mortgages and deeds of trust;  
2 adding a new section to chapter 61.12 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
5 clarify that the first in time, first in right rule of priority  
6 applies to all mortgages and deeds of trust and any future advances  
7 thereunder without regard to whether such future advances are  
8 optional or obligatory. It is not the intent of the legislature to  
9 repeal any other statute that expressly provides for special priority  
10 over mortgages and deeds of trust.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 61.12  
12 RCW to read as follows:

13 Except as otherwise provided in chapter 60.04 RCW, any mortgage  
14 or deed of trust shall be prior to all liens, mortgages, deeds of  
15 trust, and other encumbrances that have not been recorded before the  
16 recording of the mortgage or deed of trust to the extent of all sums  
17 secured by the mortgage or deed of trust regardless of when the same  
18 are disbursed or whether the disbursements are obligatory.

1        NEW SECTION.    **Sec. 3.**    This act applies to all causes of action  
2 commenced on or after the effective date of this section, regardless  
3 of when the cause of action arose. To this extent, this act applies  
4 retroactively, but in all other respects it applies prospectively.

Passed by the House February 28, 2023.

Passed by the Senate March 31, 2023.

Approved by the Governor April 13, 2023.

Filed in Office of Secretary of State April 13, 2023.

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