

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5173

Chapter 393, Laws of 2023

68th Legislature
2023 Regular Session

PROPERTY EXEMPT FROM EXECUTION—MODIFICATION

EFFECTIVE DATE: July 23, 2023—Except for section 2, which takes effect July 1, 2025.

Passed by the Senate April 14, 2023
Yeas 30 Nays 16

DENNY HECK

President of the Senate

Passed by the House April 7, 2023
Yeas 65 Nays 32

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved May 9, 2023 2:26 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5173** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 10, 2023

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5173

AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By Senate Law & Justice (originally sponsored by Senators Stanford, Hasegawa, Kuderer, Pedersen, Saldaña, and Trudeau)

READ FIRST TIME 01/20/23.

1 AN ACT Relating to property exempt from execution; amending RCW
2 6.15.010, 6.15.010, 51.32.040, 6.27.100, and 6.27.140; providing an
3 effective date; and providing an expiration date.

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

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

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

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

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

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

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

1 (i) ~~((The individual's or community's))~~ All household goods,
2 appliances, furniture, and home and yard equipment, not to exceed
3 ~~((six thousand five hundred dollars))~~ \$6,500 in value for the
4 individual ~~((or thirteen thousand dollars for the community, no
5 single item to exceed seven hundred fifty dollars))~~, said amount to
6 include provisions and fuel for ~~((the))~~ comfortable maintenance ~~((of
7 the individual or community))~~;

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

12 (iii) Other than in a bankruptcy case as described in (d)(ii) of
13 this subsection, other personal property, except personal earnings as
14 provided under RCW 6.15.050(1), not to exceed ~~((three thousand
15 dollars))~~ \$3,000 in value, ~~((of which not more than one thousand five
16 hundred dollars in value may consist of cash, and))~~ of which not more
17 than:

18 (A) For all debts except private student loan debt and consumer
19 debt, ~~((five hundred dollars))~~ \$500 in value may consist of bank
20 accounts, savings and loan accounts, stocks, bonds, or other
21 securities. The maximum exemption under this subsection (1)(d)
22 ~~((+ii))~~ (iii)(A) shall be automatically protected and may not exceed
23 ~~((five hundred dollars))~~ \$500, regardless of the number of existing
24 separate bank accounts, savings and loan accounts, stocks, bonds, or
25 other securities.

26 (B) For all private student loan debt, ~~((two thousand five
27 hundred dollars))~~ \$2,500 in value may consist of bank accounts,
28 savings and loan accounts, stocks, bonds, or other securities. \$1,000
29 in value shall be automatically protected. The maximum exemption
30 under this subsection (1)(d) ~~((+ii))~~ (iii)(B) may not exceed ~~((two
31 thousand five hundred dollars))~~ \$2,500, regardless of the number of
32 existing separate bank accounts, savings and loan accounts, stocks,
33 bonds, or other securities.

34 (C) For all consumer debt, ~~((two thousand dollars))~~ \$2,000 in
35 value may consist of bank accounts, savings and loan accounts,
36 stocks, bonds, or other securities. \$1,000 in value shall be
37 automatically protected. The maximum exemption under this subsection
38 (1)(d) ~~((+ii))~~ (iii)(C) may not exceed ~~((two thousand dollars))~~
39 \$2,000, regardless of the number of existing separate bank accounts,
40 savings and loan accounts, stocks, bonds, or other securities;

1 ~~((iii) For an individual, a))~~ (iv) A motor vehicle ~~((used for~~
2 ~~personal transportation,))~~ not to exceed ~~((three thousand two hundred~~
3 ~~fifty dollars or for a community two motor vehicles used for personal~~
4 ~~transportation, not to exceed six thousand five hundred dollars))~~
5 \$15,000 in aggregate value;

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

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

10 ~~(vi))~~ (vii) To any individual, the right to or proceeds of a
11 payment not to exceed twenty thousand dollars on account of personal
12 bodily injury, not including pain and suffering or compensation for
13 actual pecuniary loss, of the debtor or an individual of whom the
14 debtor is a dependent; or the right to or proceeds of a payment in
15 compensation of loss of future earnings of the debtor or an
16 individual of whom the debtor is or was a dependent, to the extent
17 reasonably necessary for the support of the debtor and any dependent
18 of the debtor; and

19 (viii) In a bankruptcy case, the right to or proceeds of personal
20 injury of the debtor or an individual of whom the debtor is a
21 dependent; or the right to or proceeds of a payment in compensation
22 of loss of future earnings of the debtor or an individual of whom the
23 debtor is or was a dependent are free of the enforcement of the
24 claims of creditors, except to the extent such claims are for the
25 satisfaction of any liens or subrogation claims arising out of the
26 claims for personal injury or death. The exemption under this
27 subsection (1)(d) ~~((vi))~~ (viii) does not apply to the right of the
28 state of Washington, or any agent or assignee of the state, as a
29 lienholder or subrogee under RCW 43.20B.060.

30 (e) ~~((To each qualified individual, one of the following~~
31 ~~exemptions:~~

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

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

39 ~~(iii))~~ To any ~~((other))~~ individual, the tools ~~((and))~~,
40 instruments ~~((and))~~, materials, and supplies used to carry on his or

1 her trade (~~for the support of himself or herself or family,~~) not to
2 exceed (~~ten thousand dollars~~) \$15,000 in value.

3 (f) Tuition units, under chapter 28B.95 RCW, purchased more than
4 two years prior to the date of a bankruptcy filing or court judgment,
5 and contributions to any other qualified tuition program under 26
6 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and
7 to a Coverdell education savings account, also known as an education
8 individual retirement account, under 26 U.S.C. Sec. 530 of the
9 internal revenue code of 1986, as amended, contributed more than two
10 years prior to the date of a bankruptcy filing or court judgment.

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

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

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

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

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

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

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

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

36 (i) (~~The individual's or community's~~) All household goods,
37 appliances, furniture, and home and yard equipment, not to exceed
38 (~~six thousand five hundred dollars~~) \$6,500 in value for the
39 individual (~~or thirteen thousand dollars for the community, no~~

1 ~~single item to exceed seven hundred fifty dollars)),~~ said amount to
2 include provisions and fuel for ~~((the))~~ comfortable maintenance ~~((of~~
3 ~~the individual or community))~~;

4 (ii) In a bankruptcy case, any other personal property, except
5 personal earnings as provided under RCW 6.15.050(1), not to exceed
6 \$10,000 in value. The value shall be determined as of the date the
7 bankruptcy petition is filed;

8 (iii) Other than in a bankruptcy case as described in (d)(ii) of
9 this subsection, other personal property, except personal earnings as
10 provided under RCW 6.15.050(1), not to exceed ~~((three thousand~~
11 ~~dollars))~~ \$3,000 in value, ~~((of which not more than one thousand five~~
12 ~~hundred dollars in value may consist of cash, and))~~ of which not more
13 than:

14 (A) For all debts except private student loan debt and consumer
15 debt, ~~((five hundred dollars))~~ \$500 in value may consist of bank
16 accounts, savings and loan accounts, stocks, bonds, or other
17 securities. The maximum exemption under this subsection (1)(d)
18 ~~((-ii))~~ (iii)(A) may not exceed ~~((five hundred dollars))~~ \$500,
19 regardless of the number of existing separate bank accounts, savings
20 and loan accounts, stocks, bonds, or other securities.

21 (B) For all private student loan debt, ~~((two thousand five~~
22 ~~hundred dollars))~~ \$2,500 in value may consist of bank accounts,
23 savings and loan accounts, stocks, bonds, or other securities. The
24 maximum exemption under this subsection (1)(d) ~~((-ii))~~ (iii)(B) may
25 not exceed ~~((two thousand five hundred dollars))~~ \$2,500, regardless
26 of the number of existing separate bank accounts, savings and loan
27 accounts, stocks, bonds, or other securities.

28 (C) For all consumer debt, ~~((two thousand dollars))~~ \$2,000 in
29 value may consist of bank accounts, savings and loan accounts,
30 stocks, bonds, or other securities. The maximum exemption under this
31 subsection (1)(d) ~~((-ii))~~ (iii)(C) may not exceed ~~((two thousand~~
32 ~~dollars))~~ \$2,000, regardless of the number of existing separate bank
33 accounts, savings and loan accounts, stocks, bonds, or other
34 securities;

35 ~~((-iii) For an individual, a)~~ (iv) A motor vehicle ~~((used for~~
36 ~~personal transportation,))~~ not to exceed ~~((three thousand two hundred~~
37 ~~fifty dollars or for a community two motor vehicles used for personal~~
38 ~~transportation, not to exceed six thousand five hundred dollars))~~
39 \$15,000 in aggregate value;

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

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

5 ~~(vi))~~ (vii) To any individual, the right to or proceeds of a
6 payment not to exceed twenty thousand dollars on account of personal
7 bodily injury, not including pain and suffering or compensation for
8 actual pecuniary loss, of the debtor or an individual of whom the
9 debtor is a dependent; or the right to or proceeds of a payment in
10 compensation of loss of future earnings of the debtor or an
11 individual of whom the debtor is or was a dependent, to the extent
12 reasonably necessary for the support of the debtor and any dependent
13 of the debtor; and

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

25 (e) ~~((To each qualified individual, one of the following~~
26 ~~exemptions:~~

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

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

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

38 (f) Tuition units, under chapter 28B.95 RCW, purchased more than
39 two years prior to the date of a bankruptcy filing or court judgment,
40 and contributions to any other qualified tuition program under 26

1 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and
2 to a Coverdell education savings account, also known as an education
3 individual retirement account, under 26 U.S.C. Sec. 530 of the
4 internal revenue code of 1986, as amended, contributed more than two
5 years prior to the date of a bankruptcy filing or court judgment.

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

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

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

16 (1) Except as provided in RCW 43.20B.720, 72.09.111, 74.20A.260,
17 and 51.32.380, no money paid or payable under this title shall,
18 (~~before the issuance and delivery of the payment,~~) be assigned,
19 charged, or taken in execution, attached, garnished, or pass or be
20 paid to any other person by operation of law, any form of voluntary
21 assignment, or power of attorney. Any such assignment or charge is
22 void unless the transfer is to a financial institution at the request
23 of a worker or other beneficiary and made in accordance with RCW
24 51.32.045. Payments retain their exempt status even after issuance.

25 (2) (a) If any worker suffers (i) a permanent partial injury and
26 dies from some other cause than the accident which produced the
27 injury before he or she receives payment of the award for the
28 permanent partial injury or (ii) any other injury before he or she
29 receives payment of any monthly installment covering any period of
30 time before his or her death, the amount of the permanent partial
31 disability award or the monthly payment, or both, shall be paid to
32 the surviving spouse or the child or children if there is no
33 surviving spouse. If there is no surviving spouse and no child or
34 children, the award or the amount of the monthly payment shall be
35 paid by the department or self-insurer and distributed consistent
36 with the terms of the decedent's will or, if the decedent dies
37 intestate, consistent with the terms of RCW 11.04.015.

38 (b) If any worker suffers an injury and dies from it before he or
39 she receives payment of any monthly installment covering time loss

1 for any period of time before his or her death, the amount of the
2 monthly payment shall be paid to the surviving spouse or the child or
3 children if there is no surviving spouse. If there is no surviving
4 spouse and no child or children, the amount of the monthly payment
5 shall be paid by the department or self-insurer and distributed
6 consistent with the terms of the decedent's will or, if the decedent
7 dies intestate, consistent with the terms of RCW 11.04.015.

8 (c) Any application for compensation under this subsection (2)
9 shall be filed with the department or self-insuring employer within
10 one year of the date of death. The department or self-insurer may
11 satisfy its responsibilities under this subsection (2) by sending any
12 payment due in the name of the decedent and to the last known address
13 of the decedent.

14 (3)(a) Any worker or beneficiary receiving benefits under this
15 title who is subsequently confined in, or who subsequently becomes
16 eligible for benefits under this title while confined in, any
17 institution under conviction and sentence shall have all payments of
18 the compensation canceled during the period of confinement. After
19 discharge from the institution, payment of benefits due afterward
20 shall be paid if the worker or beneficiary would, except for the
21 provisions of this subsection (3), otherwise be entitled to them.

22 (b) If any prisoner is injured in the course of his or her
23 employment while participating in a work or training release program
24 authorized by chapter 72.65 RCW and is subject to the provisions of
25 this title, he or she is entitled to payments under this title,
26 subject to the requirements of chapter 72.65 RCW, unless his or her
27 participation in the program has been canceled, or unless he or she
28 is returned to a state correctional institution, as defined in RCW
29 72.65.010(3), as a result of revocation of parole or new sentence.

30 (c) If the confined worker has any beneficiaries during the
31 confinement period during which benefits are canceled under (a) or
32 (b) of this subsection, they shall be paid directly the monthly
33 benefits which would have been paid to the worker for himself or
34 herself and the worker's beneficiaries had the worker not been
35 confined.

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

1 The above-named plaintiff has applied for a writ of
2 garnishment against you, claiming that the above-named
3 defendant is indebted to plaintiff and that the amount to
4 be held to satisfy that indebtedness is \$,
5 consisting of:

6	Balance on Judgment or Amount of Claim	\$....
7	Interest under Judgment from to	\$....
8	Per Day Rate of Estimated Interest	\$....
9		per day
10	Taxable Costs and Attorneys' Fees	\$....
11	Estimated Garnishment Costs:	
12	Filing and Ex Parte Fees	\$....
13	Service and Affidavit Fees	\$....
14	Postage and Costs of Certified Mail	\$....
15	Answer Fee or Fees	\$....
16	Garnishment Attorney Fee	\$....
17	Other	\$....

18 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,
19 by the attorney of record for the plaintiff, or by this writ, not to
20 pay any debt, whether earnings subject to this garnishment or any
21 other debt, owed to the defendant at the time this writ was served
22 and not to deliver, sell, or transfer, or recognize any sale or
23 transfer of, any personal property or effects of the defendant in
24 your possession or control at the time when this writ was served. Any
25 such payment, delivery, sale, or transfer is void to the extent
26 necessary to satisfy the plaintiff's claim and costs for this writ
27 with interest.

28 YOU ARE FURTHER COMMANDED to answer this writ according to the
29 instructions in this writ and in the answer forms and, within twenty
30 days after the service of the writ upon you, to mail or deliver the
31 original of such answer to the court, one copy to the plaintiff or
32 the plaintiff's attorney, and one copy to the defendant, at the
33 addresses listed at the bottom of this writ.

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

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

2 If you are a bank or other institution in which the defendant has
3 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
4 (iii)(A) applies and the total of the amounts held in all of the
5 defendant's accounts is less than or equal to \$500, release all funds
6 or property to the defendant and do not hold any amount. However, if
7 you have documentation that the funds in the account are the
8 community property of married persons or domestic partners, and if
9 the total of the amounts held in all of the combined accounts of the
10 married persons or domestic partners is less than or equal to \$1,000,
11 then release all funds or property to the defendant and do not hold
12 any amount.

13 If you are a bank or other institution in which the defendant has
14 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
15 (iii)(A) applies and the total of the amounts held in all of the
16 defendant's accounts is in excess of \$500, release at least \$500,
17 hold no more than the amount set forth in the first paragraph of this
18 writ and any processing fee if one is charged, and release additional
19 funds or property, if any, to the defendant. However, if you have
20 documentation that the funds in the account are the community
21 property of married persons or domestic partners, and if the total of
22 the amounts held in all of the combined accounts of the married
23 persons or domestic partners is in excess of \$1,000, release at least
24 \$1,000, hold no more than the amount set forth in the first paragraph
25 of this writ and any processing fee if one is charged, and release
26 additional funds or property, if any, to the defendant.

27 FOR PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

28 If you are a bank or other institution in which the defendant has
29 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~
30 (iii) (B) or (C) applies and the total of the amounts held in all of
31 the defendant's accounts is less than or equal to \$1,000, release all
32 funds or property to the defendant and do not hold any amount.
33 However, if you have documentation that the funds in the account are
34 the community property of married persons or domestic partners, and
35 if the total of the amounts held in all of the combined accounts of
36 the married persons or domestic partners is less than or equal to
37 \$2,000, then release all funds or property to the defendant and do
38 not hold any amount.

39 If you are a bank or other institution in which the defendant has
40 accounts to which the exemption under RCW 6.15.010(1)(d) ~~((+ii+))~~

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

13 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE
14 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM
15 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND
16 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU
17 PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED
18 THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT
19 PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

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

22 Witness, the Honorable, Judge of the above-
23 entitled Court, and the seal thereof, this day
24 of, (year)

25 [Seal]

26
27	Attorney for	Clerk of
28	Plaintiff (or	the Court
29	Plaintiff, if no	
30	attorney)	
31
32	Address	By
33
34	Name of Defendant	Address"
35	
36	Address of Defendant	

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

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

9 Dated thisday of....., (year)
10
11 Attorney for Plaintiff
12
13 Address Address of the Clerk of the
14 Court"
15
16 Name of Defendant
17
18 Address of Defendant

19 **Sec. 5.** RCW 6.27.140 and 2021 c 35 s 2 are each amended to read
20 as follows:

21 (1) The notice required by RCW 6.27.130(1) to be mailed to or
22 served on an individual judgment debtor shall be in the following
23 form, printed or typed in no smaller than size twelve point font:

24 NOTICE OF GARNISHMENT
25 AND OF YOUR RIGHTS

26 A Writ of Garnishment issued in a Washington court has been
27 or will be served on the garnishee named in the attached copy
28 of the writ. After receipt of the writ, the garnishee is
29 required to withhold payment of any money that was due to you
30 and to withhold any other property of yours that the
31 garnishee held or controlled. This notice of your rights is
32 required by law.

33 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

34 WAGES. If the garnishee is your employer who owes wages or
35 other personal earnings to you, your employer is required to

1 pay amounts to you that are exempt under state and federal
2 laws, as explained in the writ of garnishment. You should
3 receive a copy of your employer's answer, which will show how
4 the exempt amount was calculated. A garnishment against wages
5 or other earnings for child support may not be issued under
6 chapter 6.27 RCW. If the garnishment is for private student
7 loan debt, the exempt amount paid to you will be the greater
8 of the following: A percent of your disposable earnings,
9 which is eighty-five percent of the part of your earnings
10 remaining after your employer deducts those amounts which are
11 required by law to be withheld, or fifty times the minimum
12 hourly wage of the highest minimum wage law in the state at
13 the time the earnings are payable. If the garnishment is for
14 consumer debt, the exempt amount paid to you will be the
15 greater of the following: A percent of your disposable
16 earnings, which is eighty percent of the part of your
17 earnings remaining after your employer deducts those amounts
18 which are required by law to be withheld, or thirty-five
19 times the state minimum hourly wage.

20 BANK ACCOUNTS. If the garnishee is a bank or other
21 institution with which you have an account in which you have
22 deposited benefits such as Temporary Assistance for Needy
23 Families, Supplemental Security Income (SSI), Social
24 Security, veterans' benefits, unemployment compensation, or
25 any federally qualified pension, such as a state or federal
26 pension, individual retirement account (IRA), or 401K plan,
27 you may claim the account as fully exempt if you have
28 deposited only such benefit funds in the account. It may be
29 partially exempt even though you have deposited money from
30 other sources in the same account. An exemption is also
31 available under RCW 26.16.200, providing that funds in a
32 community bank account that can be identified as the earnings
33 of a stepparent are exempt from a garnishment on the child
34 support obligation of the parent.

35 OTHER EXEMPTIONS. If the garnishee holds other property of
36 yours, some or all of it may be exempt under RCW 6.15.010, a
37 Washington statute that exempts certain property of your
38 choice (including, if the judgment is for private student
39 loan debt, up to \$2,500.00 in a bank account (~~if you owe on~~

1 ~~private student loan debts;)),~~ or for a marital community or
2 domestic partnership up to \$5,000.00 in a bank account; if
3 the judgment is for other consumer debt, up to \$2,000.00 in a
4 bank account (~~(if you owe on consumer debts; or)~~), or for a
5 marital community or domestic partnership up to \$4,000.00 in
6 a bank account; or, if the judgment is for any other debts,
7 up to \$500.00 in a bank account (~~(for all other debts)~~), or
8 for a marital community or domestic partnership up to
9 \$1,000.00 in a bank account) and certain other property such
10 as household furnishings, tools of trade, and a motor vehicle
11 (all limited by differing dollar values).

12 HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and
13 mail or deliver it as described in instructions on the claim
14 form. If the plaintiff does not object to your claim, the
15 funds or other property that you have claimed as exempt must
16 be released not later than 10 days after the plaintiff
17 receives your claim form. If the plaintiff objects, the law
18 requires a hearing not later than 14 days after the plaintiff
19 receives your claim form, and notice of the objection and
20 hearing date will be mailed to you at the address that you
21 put on the claim form.

22 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,
23 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,
24 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY
25 DELAY.

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

31 [Caption to be filled in by judgment creditor
32 or plaintiff before mailing.]

33 Name of Court

34 No.....

35 Plaintiff,

36 vs.

37 EXEMPTION CLAIM

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Defendant,

Garnishee Defendant

INSTRUCTIONS:

- 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 BANK ACCOUNT IS GARNISHED:

- The account contains payments from:
 - Temporary assistance for needy families, SSI, or other public assistance. I receive \$ monthly.
 - Social Security. I receive \$ monthly.
 - Veterans' Benefits. I receive \$ monthly.
 - Federally qualified pension, such as a state or federal pension, individual retirement account (IRA), or 401K plan. I receive \$ monthly.
 - Unemployment Compensation. I receive \$ monthly.
 - Child support. I receive \$ monthly.
 - Other. Explain
- ~~\$2,500 exemption for private student loan debts.~~

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Name of Court
..... No
Plaintiff,
vs.
..... EXEMPTION CLAIM
Defendant,
.....
Garnishee Defendant

INSTRUCTIONS:

- 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.

1 IF EARNINGS ARE GARNISHED FOR CONSUMER
2 DEBT:

3 [] I claim maximum exemption.

4

5 Print: Your name If married or in a state
6 registered domestic
7 partnership,
8 name of husband/wife/state
9 registered domestic partner

10 ((.....))

11 Your signature Signature of husband,
12 wife, or state registered
13 domestic partner))

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16 Address Address
17 (if different from yours)

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19 Telephone number Telephone number
20 (if different from yours)

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22 Your signature

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

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

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

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

4 NEW SECTION. **Sec. 6.** Sections 1 and 4 of this act expire July
5 1, 2025.

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

Passed by the Senate April 14, 2023.
Passed by the House April 7, 2023.
Approved by the Governor May 9, 2023.
Filed in Office of Secretary of State May 10, 2023.

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