
HOUSE BILL 1499

State of Washington

69th Legislature

2025 Regular Session

By Representatives Reed, Goodman, Mena, Scott, Entenman, Cortes, Farivar, Taylor, and Berry

1 AN ACT Relating to legal financial obligations; amending RCW
2 3.50.100, 3.62.020, 3.62.040, 3.66.120, 7.105.450, 9.92.060,
3 9.94A.725, 9.94A.750, 9.94A.753, 9.94A.760, 9.95.210, 10.01.160,
4 10.01.170, 10.05.140, 10.05.140, 10.05.170, 10.05.170, 10.64.015,
5 10.64.120, 10.82.070, 10.101.020, 35.20.220, 36.18.016, 36.18.020,
6 4.56.110, 6.17.020, 7.68.035, 9.92.070, 9.94A.6333, 9.94B.040,
7 10.01.090, 10.01.180, 10.01.185, and 43.79.505; adding new sections
8 to chapter 10.01 RCW; repealing RCW 3.62.085, 10.46.190, 10.73.160,
9 10.82.090, and 70.48.390; providing an effective date; and providing
10 an expiration date.

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

12 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.01
13 RCW to read as follows:

14 (1) A previously imposed judgment against an offender for any
15 costs, fees, and interest on legal financial obligations eliminated
16 or repealed by this act is not enforceable after the effective date
17 of this section. The court shall not accept payments for such costs
18 and fees or for any accrued interest on legal financial obligations
19 after the effective date of this section. Any such debts shall be
20 rendered null and void, and considered satisfied and paid in full by
21 July 1, 2028, according to the following schedule:

1 (a) By June 30, 2026, debts resulting from cases filed from July
2 1, 2018, through June 30, 2023;

3 (b) By June 30, 2027, debts resulting from cases filed from July
4 1, 2013, through June 30, 2018;

5 (c) By June 30, 2028, debts resulting from cases filed prior to
6 July 1, 2013.

7 (2) Nothing in this section shall prevent a court from granting
8 individual relief at any time in response to a motion. The presiding
9 judge of a superior court may authorize an administrative process to
10 waive outstanding debt for any uncollectible legal financial
11 obligation, other than restitution, imposed against an adult. This
12 process must ensure that uncollectible debts:

13 (a) Are waived within any statutorily required deadlines;

14 (b) Do not affect an individual's credit;

15 (c) Are recalled from any collections agency; and

16 (d) Do not appear in any background check.

17 (3) For the purposes of this section, the clerk of the superior
18 court may seek a judicial order to waive outstanding debt for costs
19 and fees, other than restitution, and for accrued interest on legal
20 financial obligations, in the same manner as the clerk is authorized
21 to seek an extension of jurisdiction under RCW 6.17.020 for purposes
22 of collection as allowed under RCW 36.18.190. Any motion filed by the
23 clerk of the superior court under this section does not constitute
24 the practice of law.

25 **Sec. 2.** RCW 3.50.100 and 2018 c 269 s 2 are each amended to read
26 as follows:

27 (1) Costs in civil and criminal actions may be imposed as
28 provided in district court. All fees, costs, fines, forfeitures and
29 other money imposed by any municipal court for the violation of any
30 municipal or town ordinances shall be collected by the court clerk
31 and, together with any other noninterest revenues received by the
32 clerk, shall be deposited with the city or town treasurer as a part
33 of the general fund of the city or town, or deposited in such other
34 fund of the city or town, or deposited in such other funds as may be
35 designated by the laws of the state of Washington.

36 (2) Except as provided in RCW 9A.88.120 and 10.99.080, the city
37 treasurer shall remit monthly (~~(thirty-two)~~) 32 percent of the
38 noninterest money received under this section, other than for parking
39 infractions, and certain costs to the state treasurer. "Certain

1 costs" as used in this subsection, means those costs awarded to
2 prevailing parties in civil actions under RCW 4.84.010 or 36.18.040,
3 or those costs awarded against convicted defendants in criminal
4 actions (~~under RCW 10.01.160, 10.46.190, or 36.18.040, or other~~
5 ~~similar statutes~~) as specifically authorized by statute if such
6 costs are specifically designated as costs by the court (~~and are~~
7 ~~awarded for the specific reimbursement of costs incurred by the~~
8 ~~state, county, city, or town in the prosecution of the case,~~
9 ~~including the fees of defense counsel~~). Money remitted under this
10 subsection to the state treasurer shall be deposited in the state
11 general fund.

12 (3) The balance of the noninterest money received under this
13 section shall be retained by the city and deposited as provided by
14 law.

15 (4) (a) Except as provided in (b) of this subsection, penalties,
16 fines, fees, and costs may accrue interest at the rate of (~~twelve~~)
17 12 percent per annum, upon assignment to a collection agency.
18 Interest may accrue only while the case is in collection status.

19 (b) As of June 7, 2018, penalties, fines, bail forfeitures, fees,
20 and costs imposed against a defendant in a criminal proceeding shall
21 not accrue interest.

22 (5) Interest retained by the court on penalties, fines, bail
23 forfeitures, fees, and costs shall be split (~~twenty-five~~) 25
24 percent to the state treasurer for deposit in the state general fund,
25 (~~twenty-five~~) 25 percent to the state treasurer for deposit in the
26 judicial information system account as provided in RCW 2.68.020,
27 (~~twenty-five~~) 25 percent to the city general fund, and (~~twenty-~~
28 ~~five~~) 25 percent to the city general fund to fund local courts.

29 **Sec. 3.** RCW 3.62.020 and 2018 c 269 s 3 are each amended to read
30 as follows:

31 (1) Except as provided in subsection (4) of this section, all
32 costs, fees, fines, forfeitures and penalties assessed and collected
33 in whole or in part by district courts, except costs, fines,
34 forfeitures and penalties assessed and collected, in whole or in
35 part, because of the violation of city ordinances, shall be remitted
36 by the clerk of the district court to the county treasurer at least
37 monthly, together with a financial statement as required by the state
38 auditor, noting the information necessary for crediting of such funds
39 as required by law.

1 (2) Except as provided in RCW 9A.88.120, 10.99.080,
2 7.84.100(~~((4))~~) (5), and this section, the county treasurer shall
3 remit (~~(thirty-two)~~) 32 percent of the noninterest money received
4 under subsection (1) of this section except certain costs to the
5 state treasurer. "Certain costs" as used in this subsection, means
6 those costs awarded to prevailing parties in civil actions under RCW
7 4.84.010 or 36.18.040, or those costs awarded against convicted
8 defendants in criminal actions (~~(under RCW 10.01.160, 10.46.190, or~~
9 ~~36.18.040, or other similar statutes)~~) as specifically authorized by
10 statute if such costs are specifically designated as costs by the
11 court (~~(and are awarded for the specific reimbursement of costs~~
12 ~~incurred by the state or county in the prosecution of the case,~~
13 ~~including the fees of defense counsel)~~). With the exception of funds
14 to be transferred to the judicial stabilization trust account under
15 RCW 3.62.060(2), money remitted under this subsection to the state
16 treasurer shall be deposited in the state general fund.

17 (3) The balance of the noninterest money received by the county
18 treasurer under subsection (1) of this section shall be deposited in
19 the county current expense fund. Funds deposited under this
20 subsection that are attributable to the county's portion of a
21 surcharge imposed under RCW 3.62.060(2) must be used to support local
22 trial court and court-related functions.

23 (4) Except as provided in RCW 7.84.100(~~((4))~~) (5), all money
24 collected for county parking infractions shall be remitted by the
25 clerk of the district court at least monthly, with the information
26 required under subsection (1) of this section, to the county
27 treasurer for deposit in the county current expense fund.

28 (5)(a) Except as provided in (b) of this subsection, penalties,
29 fines, fees, and costs may accrue interest at the rate of twelve
30 percent per annum, upon assignment to a collection agency. Interest
31 may accrue only while the case is in collection status.

32 (b) As of June 7, 2018, penalties, fines, bail forfeitures, fees,
33 and costs imposed against a defendant in a criminal proceeding shall
34 not accrue interest.

35 (6) Interest retained by the court on penalties, fines, bail
36 forfeitures, fees, and costs shall be split (~~(twenty-five)~~) 25
37 percent to the state treasurer for deposit in the state general fund,
38 (~~(twenty-five)~~) 25 percent to the state treasurer for deposit in the
39 judicial information system account as provided in RCW 2.68.020,
40 (~~(twenty-five)~~) 25 percent to the county current expense fund, and

1 ((~~twenty-five~~)) 25 percent to the county current expense fund to fund
2 local courts.

3 **Sec. 4.** RCW 3.62.040 and 2018 c 269 s 4 are each amended to read
4 as follows:

5 (1) Except as provided in subsection (4) of this section, all
6 costs, fines, forfeitures and penalties assessed and collected, in
7 whole or in part, by district courts because of violations of city
8 ordinances shall be remitted by the clerk of the district court at
9 least monthly directly to the treasurer of the city wherein the
10 violation occurred.

11 (2) Except as provided in RCW 9A.88.120 and 10.99.080, the city
12 treasurer shall remit monthly ((~~thirty-two~~)) 32 percent of the
13 noninterest money received under this section, other than for parking
14 infractions and certain costs, to the state treasurer. "Certain
15 costs" as used in this subsection, means those costs awarded to
16 prevailing parties in civil actions under RCW 4.84.010 or 36.18.040,
17 or those costs awarded against convicted defendants in criminal
18 actions ((~~under RCW 10.01.160, 10.46.190, or 36.18.040, or other~~
19 ~~similar statutes~~)) as specifically authorized by statute if such
20 costs are specifically designated as costs by the court ((~~and are~~
21 ~~awarded for the specific reimbursement of costs incurred by the~~
22 ~~state, county, city, or town in the prosecution of the case,~~
23 ~~including the fees of defense counsel~~)). Money remitted under this
24 subsection to the state treasurer shall be deposited in the state
25 general fund.

26 (3) The balance of the noninterest money received under this
27 section shall be retained by the city and deposited as provided by
28 law.

29 (4) All money collected for city parking infractions shall be
30 remitted by the clerk of the district court at least monthly to the
31 city treasurer for deposit in the city's general fund.

32 (5) (a) Except as provided in (b) of this subsection, penalties,
33 fines, fees, and costs may accrue interest at the rate of ((~~twelve~~))
34 12 percent per annum, upon assignment to a collection agency.
35 Interest may accrue only while the case is in collection status.

36 (b) As of June 7, 2018, penalties, fines, bail forfeitures, fees,
37 and costs imposed against a defendant in a criminal proceeding shall
38 not accrue interest.

1 (6) Interest retained by the court on penalties, fines, bail
2 forfeitures, fees, and costs shall be split (~~((twenty-five))~~) 25
3 percent to the state treasurer for deposit in the state general fund,
4 (~~((twenty-five))~~) 25 percent to the state treasurer for deposit in the
5 judicial information system account as provided in RCW 2.68.020,
6 (~~((twenty-five))~~) 25 percent to the city general fund, and (~~((twenty-~~
7 ~~five))~~) 25 percent to the city general fund to fund local courts.

8 **Sec. 5.** RCW 3.66.120 and 2022 c 260 s 1 are each amended to read
9 as follows:

10 (1) All court-ordered restitution obligations that are ordered as
11 a result of a conviction for a criminal offense in a court of limited
12 jurisdiction may be enforced in the same manner as a judgment in a
13 civil action by the party or entity to whom the legal financial
14 obligation is owed. The judgment and sentence must identify the party
15 or entity to whom restitution is owed so that the state, party, or
16 entity may enforce the judgment.

17 (2) At any time, including at sentencing, the court may determine
18 that the offender is not required to pay, or may relieve the offender
19 of the requirement to pay, full or partial restitution (~~((and accrued~~
20 ~~interest on restitution))~~) where the entity to whom restitution is
21 owed is an insurer or state agency, except for restitution owed to
22 the department of labor and industries under chapter 7.68 RCW, if the
23 court finds that the offender does not have the current or likely
24 future ability to pay. A person does not have the current ability to
25 pay if the person is indigent as defined in (~~((RCW 10.01.160(3))~~)
26 section 14 of this act. For the purposes of this subsection, the
27 terms "insurer" and "state agency" have the same meanings as provided
28 in RCW 9.94A.750(3).

29 (3) All court-ordered restitution obligations may be enforced at
30 any time during the 10-year period following the offender's release
31 from total confinement or within 10 years of entry of the judgment
32 and sentence, whichever period is longer. Prior to the expiration of
33 the initial 10-year period, the court may extend the criminal
34 judgment an additional 10 years for payment of court-ordered
35 restitution only if the court finds that the offender has not made a
36 good faith attempt to pay.

37 (4) The party or entity to whom the court-ordered restitution
38 obligation is owed may utilize any other remedies available to the
39 party or entity to collect the court-ordered financial obligation.

1 (5) Nothing in this section may be construed to deprive the court
2 of the authority to determine whether the offender's failure to pay
3 the legal financial obligation constitutes a violation of a condition
4 of probation or to impose a sanction upon the offender if such a
5 violation is found.

6 **Sec. 6.** RCW 7.105.450 and 2024 c 137 s 2 are each amended to
7 read as follows:

8 (1)(a) Whenever a domestic violence protection order, a sexual
9 assault protection order, a stalking protection order, or a
10 vulnerable adult protection order is granted under this chapter, or
11 an order is granted under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A,
12 10.77, 10.99, 26.09, 26.26A, or 26.26B RCW, or there is a valid
13 foreign protection order as defined in RCW 26.52.020, or there is a
14 Canadian domestic violence protection order as defined in RCW
15 26.55.010, and the respondent or person to be restrained knows of the
16 order, a violation of any of the following provisions of the order is
17 a gross misdemeanor, except as provided in subsections (4) and (5) of
18 this section:

19 (i) The restraint provisions prohibiting acts or threats of
20 violence against, or stalking of, a protected party, or the restraint
21 provisions prohibiting contact with a protected party;

22 (ii) A provision excluding the person from a residence,
23 workplace, school, or day care;

24 (iii) A provision prohibiting the person from knowingly coming
25 within, or knowingly remaining within, a specified distance of a
26 location, a protected party's person, or a protected party's vehicle;

27 (iv) A provision prohibiting interfering with the protected
28 party's efforts to remove a pet owned, possessed, leased, kept, or
29 held by the petitioner, the respondent, or a minor child residing
30 with either the petitioner or the respondent; or

31 (v) A provision of a foreign protection order or a Canadian
32 domestic violence protection order specifically indicating that a
33 violation will be a crime.

34 (b) Upon conviction, and in addition to any other penalties
35 provided by law, the court:

36 (i) May require that the respondent submit to electronic
37 monitoring. The court shall specify who must provide the electronic
38 monitoring services and the terms under which the monitoring must be
39 performed. (~~The order also may include a requirement that the~~

1 ~~respondent pay the costs of the monitoring.)~~ The court shall
2 ~~((consider the ability of the convicted person to pay))~~ not require
3 the respondent to pay the costs for electronic monitoring; and

4 (ii) Shall impose a fine of \$15, in addition to any penalty or
5 fine imposed, for a violation of a domestic violence protection order
6 issued under this chapter. Revenue from the \$15 fine must be remitted
7 monthly to the state treasury for deposit in the domestic violence
8 prevention account.

9 (2) A law enforcement officer shall arrest without a warrant and
10 take into custody a person whom the law enforcement officer has
11 probable cause to believe has violated a domestic violence protection
12 order, a sexual assault protection order, a stalking protection
13 order, or a vulnerable adult protection order, or an order issued
14 under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.77, 10.99, 26.09,
15 26.26A, or 26.26B RCW, or a valid foreign protection order as defined
16 in RCW 26.52.020, or a Canadian domestic violence protection order as
17 defined in RCW 26.55.010, that restrains the person or excludes the
18 person from a residence, workplace, school, or day care, or prohibits
19 the person from knowingly coming within, or knowingly remaining
20 within, a specified distance of a location, a protected party's
21 person, or a protected party's vehicle, if the person restrained
22 knows of the order. Presence of the order in the law enforcement
23 computer-based criminal intelligence information system is not the
24 only means of establishing knowledge of the order.

25 (3) A violation of a domestic violence protection order, a sexual
26 assault protection order, a stalking protection order, or a
27 vulnerable adult protection order, or an order issued under chapter
28 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.77, 10.99, 26.09, 26.26A, or
29 26.26B RCW, or a valid foreign protection order as defined in RCW
30 26.52.020, or a Canadian domestic violence protection order as
31 defined in RCW 26.55.010, shall also constitute contempt of court,
32 and is subject to the penalties prescribed by law.

33 (4) Any assault that is a violation of a domestic violence
34 protection order, a sexual assault protection order, a stalking
35 protection order, or a vulnerable adult protection order, or an order
36 issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.77, 10.99,
37 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as
38 defined in RCW 26.52.020, or a Canadian domestic violence protection
39 order as defined in RCW 26.55.010, and that does not amount to
40 assault in the first or second degree under RCW 9A.36.011 or

1 9A.36.021 is a class C felony, and any conduct in violation of such
2 an order that is reckless and creates a substantial risk of death or
3 serious physical injury to another person is a class C felony.

4 (5) A violation of a domestic violence protection order, a sexual
5 assault protection order, a stalking protection order, or a
6 vulnerable adult protection order, or a court order issued under
7 chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.77, 10.99, 26.09,
8 26.26A, or 26.26B RCW, or a valid foreign protection order as defined
9 in RCW 26.52.020, or a Canadian domestic violence protection order as
10 defined in RCW 26.55.010, is a class C felony if the offender has at
11 least two previous convictions for violating the provisions of a
12 domestic violence protection order, a sexual assault protection
13 order, a stalking protection order, or a vulnerable adult protection
14 order, or an order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88,
15 9.94A, 10.77, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign
16 protection order as defined in RCW 26.52.020, or a Canadian domestic
17 violence protection order as defined in RCW 26.55.010. The previous
18 convictions may involve the same victim or other victims specifically
19 protected by the orders the offender violated.

20 (6) (a) A defendant arrested for violating a domestic violence
21 protection order, sexual assault protection order, stalking
22 protection order, or vulnerable adult protection order, or an order
23 granted under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.77,
24 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection
25 order as defined in RCW 26.52.020, or a Canadian domestic violence
26 protection order as defined in RCW 26.55.010, is required to appear
27 in person before a magistrate within one judicial day after the
28 arrest. At the time of the appearance, the court shall determine the
29 necessity of imposing a no-contact order or other conditions of
30 pretrial release.

31 (b) A defendant who is charged by citation, complaint, or
32 information with violating any protection order identified in (a) of
33 this subsection and not arrested shall appear in court for
34 arraignment in person as soon as practicable, but in no event later
35 than 14 days after the next day on which court is in session
36 following the issuance of the citation or the filing of the complaint
37 or information.

38 (7) Upon the filing of an affidavit by the petitioner or any law
39 enforcement officer alleging that the respondent has violated a
40 domestic violence protection order, a sexual assault protection

1 order, a stalking protection order, or a vulnerable adult protection
2 order, or an order granted under chapter 9A.40, 9A.44, 9A.46, 9A.88,
3 9.94A, 10.77, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign
4 protection order as defined in RCW 26.52.020, or a Canadian domestic
5 violence protection order as defined in RCW 26.55.010, the court may
6 issue an order to the respondent, requiring the respondent to appear
7 and show cause within 14 days as to why the respondent should not be
8 found in contempt of court and punished accordingly. The hearing may
9 be held in the court of any county or municipality in which the
10 petitioner or respondent temporarily or permanently resides at the
11 time of the alleged violation.

12 (8) Appearances required under this section are mandatory and
13 cannot be waived.

14 **Sec. 7.** RCW 9.92.060 and 2023 c 449 s 7 are each amended to read
15 as follows:

16 (1) Whenever any person is convicted of any crime except murder,
17 burglary in the first degree, arson in the first degree, robbery,
18 rape of a child, or rape, the superior court may, in its discretion,
19 at the time of imposing sentence upon such person, direct that such
20 sentence be stayed and suspended until otherwise ordered by the
21 superior court, and, upon such terms as the superior court may
22 determine, that the sentenced person be placed under the charge of:

23 (a) A community corrections officer employed by the department of
24 corrections, if the person is subject to supervision under RCW
25 9.94A.501 or 9.94A.5011; or

26 (b) A probation officer employed or contracted for by the county,
27 if the county has elected to assume responsibility for the
28 supervision of superior court misdemeanor probationers.

29 (2) As a condition to suspension of sentence, the superior court
30 may require the convicted person to make such monetary payments, on
31 such terms as the superior court deems appropriate under the
32 circumstances, as are necessary: (a) To comply with any order of the
33 court for the payment of family support; (b) to make restitution to
34 any person or persons who may have suffered loss or damage by reason
35 of the commission of the crime in question or when the offender
36 pleads guilty to a lesser offense or fewer offenses and agrees with
37 the prosecutor's recommendation that the offender be required to pay
38 restitution to a victim of an offense or offenses which are not
39 prosecuted pursuant to a plea agreement; (c) to pay any fine imposed

1 and not suspended (~~and~~) by the court or other costs (~~incurred in~~
2 ~~the prosecution of the case~~) specifically authorized by statute,
3 including reimbursement of the state for costs of extradition if
4 return to this state by extradition was required; and (d) to
5 contribute to a county or interlocal drug fund.

6 (3) At any time, including at sentencing, the court may determine
7 that the offender is not required to pay, or may relieve the offender
8 of the requirement to pay, full or partial restitution (~~and accrued~~
9 ~~interest on restitution~~) where the entity to whom restitution is
10 owed is an insurer or a state agency, except for restitution owed to
11 the department of labor and industries under chapter 7.68 RCW, if the
12 court finds that the offender does not have the current or likely
13 future ability to pay. A person does not have the current ability to
14 pay if the person is indigent as defined in (~~RCW 10.01.160(3)~~)
15 section 14 of this act. For the purposes of this subsection, the
16 terms "insurer" and "state agency" have the same meanings as provided
17 in RCW 9.94A.750(3).

18 (4) As a condition of the suspended sentence, the superior court
19 may order the probationer to report to the secretary of corrections
20 or such officer as the secretary may designate and as a condition of
21 the probation to follow the instructions of the secretary. If the
22 county legislative authority has elected to assume responsibility for
23 the supervision of superior court misdemeanor probationers within
24 its jurisdiction, the superior court misdemeanor probationer shall
25 report to a probation officer employed or contracted for by the
26 county. In cases where a superior court misdemeanor probationer is
27 sentenced in one county, but resides within another county, there
28 must be provisions for the probationer to report to the agency having
29 supervision responsibility for the probationer's county of residence.

30 (5) If restitution to the victim has been ordered under
31 subsection (2)(b) of this section and the superior court has ordered
32 supervision, the officer supervising the probationer shall make a
33 reasonable effort to ascertain whether restitution has been made as
34 ordered. If the superior court has ordered supervision and
35 restitution has not been made, the officer shall inform the
36 prosecutor of that violation of the terms of the suspended sentence
37 not less than three months prior to the termination of the suspended
38 sentence.

1 **Sec. 8.** RCW 9.94A.725 and 2000 c 28 s 27 are each amended to
2 read as follows:

3 Participation in a work crew is conditioned upon the offender's
4 acceptance into the program, abstinence from alcohol and controlled
5 substances as demonstrated by urinalysis and breathalyzer monitoring,
6 (~~with the cost of monitoring to be paid by the offender, unless~~
7 ~~indigent,~~) and (~~upon~~) compliance with the rules of the program,
8 which rules require the offender to work to the best of his or her
9 abilities and provide the program with accurate, verified residence
10 information. Work crew may be imposed simultaneously with electronic
11 home detention.

12 Where work crew is imposed as part of a sentence of nine months
13 or more, the offender must serve a minimum of thirty days of total
14 confinement before being eligible for work crew.

15 Work crew tasks shall be performed for a minimum of thirty-five
16 hours per week. Only those offenders sentenced to a facility operated
17 or utilized under contract by a county or the state, or sanctioned
18 under RCW 9.94A.737, are eligible to participate on a work crew.
19 Offenders sentenced for a sex offense are not eligible for the work
20 crew program.

21 An offender who has successfully completed four weeks of work
22 crew at thirty-five hours per week shall thereafter receive credit
23 toward the work crew sentence for hours worked at approved, verified
24 employment. Such employment credit may be earned for up to twenty-
25 four hours actual employment per week provided, however, that every
26 such offender shall continue active participation in work crew
27 projects according to a schedule approved by a work crew supervisor
28 until the work crew sentence has been served.

29 The hours served as part of a work crew sentence may include
30 substance abuse counseling and/or job skills training.

31 The civic improvement tasks performed by offenders on work crew
32 shall be unskilled labor for the benefit of the community as
33 determined by the head of the county executive branch or his or her
34 designee. Civic improvement tasks shall not be done on private
35 property unless it is owned or operated by a nonprofit entity, except
36 that, for emergency purposes only, work crews may perform snow
37 removal on any private property. The civic improvement tasks shall
38 have minimal negative impact on existing private industries or the
39 labor force in the county where the service or labor is performed.
40 The civic improvement tasks shall not affect employment opportunities

1 for people with developmental disabilities contracted through
2 sheltered workshops as defined in RCW 82.04.385. In case any dispute
3 arises as to a civic improvement task having more than minimum
4 negative impact on existing private industries or labor force in the
5 county where their service or labor is performed, the matter shall be
6 referred by an interested party, as defined in RCW 39.12.010(4), for
7 arbitration to the director of the department of labor and industries
8 of the state.

9 ~~((Whenever an offender receives credit against a work crew
10 sentence for hours of approved, verified employment, the offender
11 shall pay to the agency administering the program the monthly
12 assessment of an amount not less than ten dollars per month nor more
13 than fifty dollars per month. This assessment shall be considered
14 payment of the costs of providing the work crew program to an
15 offender. The court may exempt a person from the payment of all or
16 any part of the assessment based upon any of the following factors:~~

17 ~~(1) The offender has diligently attempted but has been unable to
18 obtain employment that provides the offender sufficient income to
19 make such payment.~~

20 ~~(2) The offender is a student in a school, college, university,
21 or a course of vocational or technical training designed to fit the
22 student for gainful employment.~~

23 ~~(3) The offender has an employment handicap, as determined by an
24 examination acceptable to or ordered by the court.~~

25 ~~(4) The offender is responsible for the support of dependents and
26 the payment of the assessment constitutes an undue hardship.~~

27 ~~(5) Other extenuating circumstances as determined by the court.))~~

28 No fees or assessments shall be charged to an offender for
29 participation in a work crew or for the costs of urinalysis and
30 breathalyzer monitoring.

31 **Sec. 9.** RCW 9.94A.750 and 2022 c 260 s 2 are each amended to
32 read as follows:

33 This section applies to offenses committed on or before July 1,
34 1985.

35 (1) If restitution is ordered, the court shall determine the
36 amount of restitution due at the sentencing hearing or within 180
37 days. The court may continue the hearing beyond the 180 days for good
38 cause. The court shall then set a minimum monthly payment that the
39 offender is required to make towards the restitution that is ordered.

1 The court shall not issue any order that postpones the commencement
2 of restitution payments until after the offender is released from
3 total confinement. The court should take into consideration the total
4 amount of the restitution owed, the offender's present, past, and
5 future ability to pay, as well as any assets that the offender may
6 have. An offender's inability to make restitution payments while in
7 total confinement may not be the basis for a violation of his or her
8 sentence unless his or her inability to make payments resulted from a
9 refusal to accept an employment offer to a class I or class II job or
10 a termination for cause from such a job.

11 (2) During the period of supervision, the community corrections
12 officer may examine the offender to determine if there has been a
13 change in circumstances that warrants an amendment of the monthly
14 payment schedule. The community corrections officer may recommend a
15 change to the schedule of payment and shall inform the court of the
16 recommended change and the reasons for the change. The sentencing
17 court may then reset the monthly minimum payments based on the report
18 from the community corrections officer of the change in
19 circumstances.

20 (3)(a) Except as provided in subsection (6) of this section,
21 restitution ordered by a court pursuant to a criminal conviction
22 shall be based on easily ascertainable damages for injury to or loss
23 of property, actual expenses incurred for treatment for injury to
24 persons, and lost wages resulting from injury. Restitution shall not
25 include reimbursement for damages for mental anguish, pain and
26 suffering, or other intangible losses, but may include the costs of
27 counseling reasonably related to the offense. The amount of
28 restitution shall not exceed double the amount of the offender's gain
29 or the victim's loss from the commission of the offense.

30 (b) At any time, including at sentencing, the court may determine
31 that the offender is not required to pay, or may relieve the offender
32 of the requirement to pay, full or partial restitution (~~and accrued~~
33 ~~interest on restitution~~) where the entity to whom restitution is
34 owed is an insurer or state agency, except for restitution owed to
35 the department of labor and industries under chapter 7.68 RCW, if the
36 court finds that the offender does not have the current or likely
37 future ability to pay. A person does not have the current ability to
38 pay if the person is indigent as defined in (~~RCW 10.01.160(3)~~)
39 section 14 of this act. For the purposes of this subsection:

1 (i) "Insurer" means any insurer as defined and authorized under
2 Title 48 RCW. "Insurer" does not include an individual self-insurance
3 program or joint self-insurance program.

4 (ii) "Self-insurance" means a formal program of advance funding
5 and management of entity financial exposure to a risk of loss that is
6 not transferred through the purchase of an insurance policy or
7 contract.

8 (iii) "State agency" has the same meaning as provided in RCW
9 42.56.010(1).

10 (4) For the purposes of this section, the offender shall remain
11 under the court's jurisdiction for a term of 10 years following the
12 offender's release from total confinement or 10 years subsequent to
13 the entry of the judgment and sentence, whichever period is longer.
14 Prior to the expiration of the initial 10-year period, the superior
15 court may extend jurisdiction under the criminal judgment an
16 additional 10 years for payment of restitution. The portion of the
17 sentence concerning restitution may be modified as to amount, terms
18 and conditions during either the initial 10-year period or subsequent
19 10-year period if the criminal judgment is extended, regardless of
20 the expiration of the offender's term of community supervision and
21 regardless of the statutory maximum sentence for the crime. The court
22 may not reduce the total amount of restitution ordered because the
23 offender may lack the ability to pay the total amount. The offender's
24 compliance with the restitution shall be supervised by the department
25 only during any period which the department is authorized to
26 supervise the offender in the community under RCW 9.94A.728,
27 9.94A.501, or in which the offender is in confinement in a state
28 correctional institution or a correctional facility pursuant to a
29 transfer agreement with the department, and the department shall
30 supervise the offender's compliance during any such period. The
31 department is responsible for supervision of the offender only during
32 confinement and authorized supervision and not during any subsequent
33 period in which the offender remains under the court's jurisdiction.
34 The county clerk is authorized to collect unpaid restitution at any
35 time the offender remains under the jurisdiction of the court for
36 purposes of his or her legal financial obligations.

37 (5) Restitution may be ordered whenever the offender is convicted
38 of an offense which results in injury to any person or damage to or
39 loss of property or as provided in subsection (6) of this section. In
40 addition, restitution may be ordered to pay for an injury, loss, or

1 damage if the offender pleads guilty to a lesser offense or fewer
2 offenses and agrees with the prosecutor's recommendation that the
3 offender be required to pay restitution to a victim of an offense or
4 offenses which are not prosecuted pursuant to a plea agreement.

5 (6) Restitution for the crime of rape of a child in the first,
6 second, or third degree, in which the victim becomes pregnant, shall
7 include: (a) All of the victim's medical expenses that are associated
8 with the rape and resulting pregnancy; and (b) child support for any
9 child born as a result of the rape if child support is ordered
10 pursuant to a proceeding in superior court or administrative order
11 for support for that child. The clerk must forward any restitution
12 payments made on behalf of the victim's child to the Washington state
13 child support registry under chapter 26.23 RCW. Identifying
14 information about the victim and child shall not be included in the
15 order. The offender shall receive a credit against any obligation
16 owing under the administrative or superior court order for support of
17 the victim's child. For the purposes of this subsection, the offender
18 shall remain under the court's jurisdiction until the offender has
19 satisfied support obligations under the superior court or
20 administrative order but not longer than a maximum term of 25 years
21 following the offender's release from total confinement or 25 years
22 subsequent to the entry of the judgment and sentence, whichever
23 period is longer. The court may not reduce the total amount of
24 restitution ordered because the offender may lack the ability to pay
25 the total amount. The department shall supervise the offender's
26 compliance with the restitution ordered under this subsection.

27 (7) In addition to any sentence that may be imposed, an offender
28 who has been found guilty of an offense involving fraud or other
29 deceptive practice or an organization which has been found guilty of
30 any such offense may be ordered by the sentencing court to give
31 notice of the conviction to the class of persons or to the sector of
32 the public affected by the conviction or financially interested in
33 the subject matter of the offense by mail, by advertising in
34 designated areas or through designated media, or by other appropriate
35 means.

36 (8) This section does not limit civil remedies or defenses
37 available to the victim or offender including support enforcement
38 remedies for support ordered under subsection (6) of this section for
39 a child born as a result of a rape of a child victim. The court shall
40 identify in the judgment and sentence the victim or victims entitled

1 to restitution and what amount is due each victim. The state or
2 victim may enforce the court-ordered restitution in the same manner
3 as a judgment in a civil action. Restitution collected through civil
4 enforcement must be paid through the registry of the court and must
5 be distributed proportionately according to each victim's loss when
6 there is more than one victim.

7 **Sec. 10.** RCW 9.94A.753 and 2022 c 260 s 3 are each amended to
8 read as follows:

9 This section applies to offenses committed after July 1, 1985.

10 (1) When restitution is ordered, the court shall determine the
11 amount of restitution due at the sentencing hearing or within 180
12 days except as provided in subsection (7) of this section. The court
13 may continue the hearing beyond the 180 days for good cause. The
14 court shall then set a minimum monthly payment that the offender is
15 required to make towards the restitution that is ordered. The court
16 shall not issue any order that postpones the commencement of
17 restitution payments until after the offender is released from total
18 confinement. The court should take into consideration the total
19 amount of the restitution owed, the offender's present, past, and
20 future ability to pay, as well as any assets that the offender may
21 have. An offender's inability to make restitution payments while in
22 total confinement may not be the basis for a violation of his or her
23 sentence unless his or her inability to make payments resulted from a
24 refusal to accept an employment offer to a class I or class II job or
25 a termination for cause from such a job.

26 (2) During the period of supervision, the community corrections
27 officer may examine the offender to determine if there has been a
28 change in circumstances that warrants an amendment of the monthly
29 payment schedule. The community corrections officer may recommend a
30 change to the schedule of payment and shall inform the court of the
31 recommended change and the reasons for the change. The sentencing
32 court may then reset the monthly minimum payments based on the report
33 from the community corrections officer of the change in
34 circumstances.

35 (3)(a) Except as provided in subsection (6) of this section,
36 restitution ordered by a court pursuant to a criminal conviction
37 shall be based on easily ascertainable damages for injury to or loss
38 of property, actual expenses incurred for treatment for injury to
39 persons, and lost wages resulting from injury. Restitution shall not

1 include reimbursement for damages for mental anguish, pain and
2 suffering, or other intangible losses, but may include the costs of
3 counseling reasonably related to the offense. The amount of
4 restitution shall not exceed double the amount of the offender's gain
5 or the victim's loss from the commission of the crime.

6 (b) At any time, including at sentencing, the court may determine
7 that the offender is not required to pay, or may relieve the offender
8 of the requirement to pay, full or partial restitution (~~and accrued~~
9 ~~interest on restitution~~) where the entity to whom restitution is
10 owed is an insurer or state agency, except for restitution owed to
11 the department of labor and industries under chapter 7.68 RCW, if the
12 court finds that the offender does not have the current or likely
13 future ability to pay. A person does not have the current ability to
14 pay if the person is indigent as defined in (~~RCW 10.01.160(3)~~)
15 section 14 of this act. For the purposes of this subsection, the
16 terms "insurer" and "state agency" have the same meanings as provided
17 in RCW 9.94A.750(3).

18 (4) For the purposes of this section, for an offense committed
19 prior to July 1, 2000, the offender shall remain under the court's
20 jurisdiction for a term of 10 years following the offender's release
21 from total confinement or 10 years subsequent to the entry of the
22 judgment and sentence, whichever period ends later. Prior to the
23 expiration of the initial 10-year period, the superior court may
24 extend jurisdiction under the criminal judgment an additional 10
25 years for payment of restitution. For an offense committed on or
26 after July 1, 2000, the offender shall remain under the court's
27 jurisdiction until the obligation is completely satisfied, regardless
28 of the statutory maximum for the crime. The portion of the sentence
29 concerning restitution may be modified as to amount, terms, and
30 conditions during any period of time the offender remains under the
31 court's jurisdiction, regardless of the expiration of the offender's
32 term of community supervision and regardless of the statutory maximum
33 sentence for the crime. The court may not reduce the total amount of
34 restitution ordered because the offender may lack the ability to pay
35 the total amount. The offender's compliance with the restitution
36 shall be supervised by the department only during any period which
37 the department is authorized to supervise the offender in the
38 community under RCW 9.94A.728, 9.94A.501, or in which the offender is
39 in confinement in a state correctional institution or a correctional
40 facility pursuant to a transfer agreement with the department, and

1 the department shall supervise the offender's compliance during any
2 such period. The department is responsible for supervision of the
3 offender only during confinement and authorized supervision and not
4 during any subsequent period in which the offender remains under the
5 court's jurisdiction. The county clerk is authorized to collect
6 unpaid restitution at any time the offender remains under the
7 jurisdiction of the court for purposes of his or her legal financial
8 obligations.

9 (5) Restitution shall be ordered whenever the offender is
10 convicted of an offense which results in injury to any person or
11 damage to or loss of property or as provided in subsection (6) of
12 this section unless extraordinary circumstances exist which make
13 restitution inappropriate in the court's judgment and the court sets
14 forth such circumstances in the record. In addition, restitution
15 shall be ordered to pay for an injury, loss, or damage if the
16 offender pleads guilty to a lesser offense or fewer offenses and
17 agrees with the prosecutor's recommendation that the offender be
18 required to pay restitution to a victim of an offense or offenses
19 which are not prosecuted pursuant to a plea agreement.

20 (6) Restitution for the crime of rape of a child in the first,
21 second, or third degree, in which the victim becomes pregnant, shall
22 include: (a) All of the victim's medical expenses that are associated
23 with the rape and resulting pregnancy; and (b) child support for any
24 child born as a result of the rape if child support is ordered
25 pursuant to a civil superior court or administrative order for
26 support for that child. The clerk must forward any restitution
27 payments made on behalf of the victim's child to the Washington state
28 child support registry under chapter 26.23 RCW. Identifying
29 information about the victim and child shall not be included in the
30 order. The offender shall receive a credit against any obligation
31 owing under the administrative or superior court order for support of
32 the victim's child. For the purposes of this subsection, the offender
33 shall remain under the court's jurisdiction until the offender has
34 satisfied support obligations under the superior court or
35 administrative order for the period provided in RCW 4.16.020 or a
36 maximum term of 25 years following the offender's release from total
37 confinement or 25 years subsequent to the entry of the judgment and
38 sentence, whichever period is longer. The court may not reduce the
39 total amount of restitution ordered because the offender may lack the
40 ability to pay the total amount. The department shall supervise the

1 offender's compliance with the restitution ordered under this
2 subsection.

3 (7) Regardless of the provisions of subsections (1) through (6)
4 of this section, the court shall order restitution in all cases where
5 the victim is entitled to benefits under the crime victims'
6 compensation act, chapter 7.68 RCW. If the court does not order
7 restitution and the victim of the crime has been determined to be
8 entitled to benefits under the crime victims' compensation act, the
9 department of labor and industries, as administrator of the crime
10 victims' compensation program, may petition the court within one year
11 of entry of the judgment and sentence for entry of a restitution
12 order. Upon receipt of a petition from the department of labor and
13 industries, the court shall hold a restitution hearing and shall
14 enter a restitution order.

15 (8) In addition to any sentence that may be imposed, an offender
16 who has been found guilty of an offense involving fraud or other
17 deceptive practice or an organization which has been found guilty of
18 any such offense may be ordered by the sentencing court to give
19 notice of the conviction to the class of persons or to the sector of
20 the public affected by the conviction or financially interested in
21 the subject matter of the offense by mail, by advertising in
22 designated areas or through designated media, or by other appropriate
23 means.

24 (9) This section does not limit civil remedies or defenses
25 available to the victim, survivors of the victim, or offender
26 including support enforcement remedies for support ordered under
27 subsection (6) of this section for a child born as a result of a rape
28 of a child victim. The court shall identify in the judgment and
29 sentence the victim or victims entitled to restitution and what
30 amount is due each victim. The state or victim may enforce the court-
31 ordered restitution in the same manner as a judgment in a civil
32 action. Restitution collected through civil enforcement must be paid
33 through the registry of the court and must be distributed
34 proportionately according to each victim's loss when there is more
35 than one victim.

36 (10) If a person has caused a victim to lose money or property
37 through the filing of a vehicle report of sale in which the
38 designated buyer had no knowledge of the vehicle transfer or the
39 fraudulent filing of the report of sale, upon conviction or when the
40 offender pleads guilty and agrees with the prosecutor's

1 recommendation that the offender be required to pay restitution to a
2 victim, the court may order the defendant to pay an amount, fixed by
3 the court, not to exceed double the amount of the defendant's gain or
4 victim's loss from the filing of the vehicle report of sale in which
5 the designated buyer had no knowledge of the vehicle transfer or the
6 fraudulent filing of the report of sale. Such an amount may be used
7 to provide restitution to the victim at the order of the court. It is
8 the duty of the prosecuting attorney to investigate the alternative
9 of restitution, and to recommend it to the court, when the
10 prosecuting attorney believes that restitution is appropriate and
11 feasible. If the court orders restitution, the court must make a
12 finding as to the amount of the victim's loss due to the filing of
13 the report of sale in which the designated buyer had no knowledge of
14 the vehicle transfer or the fraudulent filing of the report of sale,
15 and if the record does not contain sufficient evidence to support
16 such finding, the court may conduct a hearing upon the issue. For
17 purposes of this section, "loss" refers to the amount of money or the
18 value of property or services lost.

19 **Sec. 11.** RCW 9.94A.760 and 2023 c 449 s 9 are each amended to
20 read as follows:

21 (1) Whenever a person is convicted in superior court, the court
22 may order the payment of a legal financial obligation as part of the
23 sentence. The court may not order an offender to pay costs (~~as~~
24 ~~described in RCW 10.01.160 if the court finds that the offender at~~
25 ~~the time of sentencing is indigent as defined in RCW 10.01.160(3))~~
26 except as specifically authorized by statute. An offender being
27 indigent as defined in (~~RCW 10.01.160(3))~~ section 14 of this act is
28 not grounds for failing to impose restitution, subject to RCW
29 9.94A.750(3) and 9.94A.753(3). The court must on either the judgment
30 and sentence or on a subsequent order to pay, designate the total
31 amount of a legal financial obligation and segregate this amount
32 among the separate assessments made for restitution, costs, fines,
33 and other assessments required by law. On the same order, the court
34 is also to set a sum that the offender is required to pay on a
35 monthly basis towards satisfying the legal financial obligation. If
36 the court fails to set the offender monthly payment amount, the
37 department shall set the amount if the department has active
38 supervision of the offender, otherwise the county clerk shall set the
39 amount.

1 (2) Upon receipt of each payment made by or on behalf of an
2 offender, the county clerk shall distribute the payment in the
3 following order of priority until satisfied:

4 (a) First, proportionally to restitution to victims that have not
5 been fully compensated from other sources;

6 (b) Second, proportionally to restitution to insurance or other
7 sources with respect to a loss that has provided compensation to
8 victims;

9 (c) Third, proportionally to crime victims' assessments that have
10 not been waived under RCW 7.68.035; and

11 (d) Fourth, proportionally to costs, fines, and other assessments
12 required by law.

13 (3) ~~((If the court determines that the offender, at the time of
14 sentencing, has the means to pay for the cost of incarceration, the
15 court may require the offender to pay for the cost of incarceration.
16 The court shall not order the offender to pay the cost of
17 incarceration if the court finds that the offender at the time of
18 sentencing is indigent as defined in RCW 10.01.160(3). Costs of
19 incarceration ordered by the court shall not exceed a rate of \$50 per
20 day of incarceration, if incarcerated in a prison, or the actual cost
21 of incarceration per day of incarceration, if incarcerated in a
22 county jail. In no case may the court require the offender to pay
23 more than \$100 per day for the cost of incarceration. All funds
24 recovered from offenders for the cost of incarceration in the county
25 jail shall be remitted to the county and the costs of incarceration
26 in a prison shall be remitted to the department.~~

27 ~~(4))~~) The court may add to the judgment and sentence or
28 subsequent order to pay a statement that a notice of payroll
29 deduction is to be issued immediately. If the court chooses not to
30 order the immediate issuance of a notice of payroll deduction at
31 sentencing, the court shall add to the judgment and sentence or
32 subsequent order to pay a statement that a notice of payroll
33 deduction may be issued or other income-withholding action may be
34 taken, without further notice to the offender if a monthly court-
35 ordered legal financial obligation payment is not paid when due, and
36 an amount equal to or greater than the amount payable for one month
37 is owed.

38 If a judgment and sentence or subsequent order to pay does not
39 include the statement that a notice of payroll deduction may be
40 issued or other income-withholding action may be taken if a monthly

1 legal financial obligation payment is past due, the department or the
2 county clerk may serve a notice on the offender stating such
3 requirements and authorizations. Service shall be by personal service
4 or any form of mail requiring a return receipt.

5 ~~((+5))~~ (4)(a) Independent of the department or the county clerk,
6 the party or entity to whom the legal financial obligation is owed
7 shall have the authority to use any other remedies available to the
8 party or entity to collect the legal financial obligation. These
9 remedies include enforcement in the same manner as a judgment in a
10 civil action by the party or entity to whom the legal financial
11 obligation is owed. Restitution collected through civil enforcement
12 must be paid through the registry of the court and must be
13 distributed proportionately according to each victim's loss when
14 there is more than one victim. The judgment and sentence shall
15 identify the party or entity to whom restitution is owed so that the
16 state, party, or entity may enforce the judgment.

17 (b) If restitution is ordered pursuant to RCW 9.94A.750(6) or
18 9.94A.753(6) to a victim of rape of a child or a victim's child born
19 from the rape, the Washington state child support registry shall be
20 identified as the party to whom payments must be made. Restitution
21 obligations arising from the rape of a child in the first, second, or
22 third degree that result in the pregnancy of the victim may be
23 enforced for the time periods provided under RCW 9.94A.750(6) and
24 9.94A.753(6).

25 (c) All other restitution obligations for an offense committed
26 prior to July 1, 2000, may be enforced at any time during the 10-year
27 period following the offender's release from total confinement or
28 within 10 years of entry of the judgment and sentence, whichever
29 period ends later. Prior to the expiration of the initial 10-year
30 period, the superior court may extend the criminal judgment an
31 additional 10 years for payment of restitution obligations. All other
32 restitution obligations for an offense committed on or after July 1,
33 2000, may be enforced at any time the offender remains under the
34 court's jurisdiction. For an offense committed on or after July 1,
35 2000, the court shall retain jurisdiction over the offender, for
36 purposes of the offender's compliance with payment of the restitution
37 obligations, until the obligation is completely satisfied, regardless
38 of the statutory maximum for the crime.

39 (d) All other legal financial obligations other than restitution
40 may be enforced at any time during the 10-year period following the

1 offender's release from total confinement or within 10 years of entry
2 of the judgment and sentence, whichever period ends later. Prior to
3 the expiration of the initial 10-year period, the superior court may
4 extend the criminal judgment an additional 10 years for payment of
5 nonrestitution legal financial obligations only if the court finds
6 that the offender has the current or likely future ability to pay the
7 obligations. A person does not have the current ability to pay if the
8 person is indigent as defined in (~~RCW 10.01.160(3)~~) section 14 of
9 this act.

10 (e) The department may only supervise the offender's compliance
11 with payment of the legal financial obligations during any period in
12 which the department is authorized to supervise the offender in the
13 community under RCW 9.94A.728, 9.94A.501, or in which the offender is
14 confined in a state correctional institution or a correctional
15 facility pursuant to a transfer agreement with the department, and
16 the department shall supervise the offender's compliance during any
17 such period. The department is not responsible for supervision of the
18 offender during any subsequent period of time the offender remains
19 under the court's jurisdiction. The county clerk is authorized to
20 collect unpaid legal financial obligations at any time the offender
21 remains under the jurisdiction of the court for purposes of his or
22 her legal financial obligations.

23 (~~(+6)~~) (5) In order to assist the court in setting a monthly sum
24 that the offender must pay during the period of supervision, the
25 offender is required to report to the department for purposes of
26 preparing a recommendation to the court. When reporting, the offender
27 is required, under oath, to respond truthfully and honestly to all
28 questions concerning present, past, and future earning capabilities
29 and the location and nature of all property or financial assets. The
30 offender is further required to bring all documents requested by the
31 department.

32 (~~(+7)~~) (6) After completing the investigation, the department
33 shall make a report to the court on the amount of the monthly payment
34 that the offender should be required to make towards a satisfied
35 legal financial obligation.

36 (~~(+8)~~) (7)(a) During the period of supervision, the department
37 may make a recommendation to the court that the offender's monthly
38 payment schedule be modified so as to reflect a change in financial
39 circumstances. If the department sets the monthly payment amount, the
40 department may modify the monthly payment amount without the matter

1 being returned to the court. During the period of supervision, the
2 department may require the offender to report to the department for
3 the purposes of reviewing the appropriateness of the collection
4 schedule for the legal financial obligation. During this reporting,
5 the offender is required under oath to respond truthfully and
6 honestly to all questions concerning earning capabilities and the
7 location and nature of all property or financial assets. The offender
8 shall bring all documents requested by the department in order to
9 prepare the collection schedule.

10 (b) Subsequent to any period of supervision, or if the department
11 is not authorized to supervise the offender in the community, the
12 county clerk may make a recommendation to the court that the
13 offender's monthly payment schedule be modified so as to reflect a
14 change in financial circumstances. If the county clerk sets the
15 monthly payment amount, or if the department set the monthly payment
16 amount and the department has subsequently turned the collection of
17 the legal financial obligation over to the county clerk, the clerk
18 may modify the monthly payment amount without the matter being
19 returned to the court. During the period of repayment, the county
20 clerk may require the offender to report to the clerk for the purpose
21 of reviewing the appropriateness of the collection schedule for the
22 legal financial obligation. During this reporting, the offender is
23 required under oath to respond truthfully and honestly to all
24 questions concerning earning capabilities and the location and nature
25 of all property or financial assets. The offender shall bring all
26 documents requested by the county clerk in order to prepare the
27 collection schedule.

28 ~~((9))~~ (8) After the judgment and sentence or payment order is
29 entered, the department is authorized, for any period of supervision,
30 to collect the legal financial obligation from the offender.
31 Subsequent to any period of supervision or, if the department is not
32 authorized to supervise the offender in the community, the county
33 clerk is authorized to collect unpaid legal financial obligations
34 from the offender. Any amount collected by the department shall be
35 remitted daily to the county clerk for the purpose of disbursements.
36 The department and the county clerks are authorized, but not
37 required, to accept credit cards as payment for a legal financial
38 obligation ~~((, and any costs incurred related to accepting credit card
39 payments shall be the responsibility of the offender))~~.

1 (~~(10)~~) (9) The department or any obligee of the legal financial
2 obligation may seek a mandatory wage assignment for the purposes of
3 obtaining satisfaction for the legal financial obligation pursuant to
4 RCW 9.94A.7701. Any party obtaining a wage assignment shall notify
5 the county clerk. The county clerks shall notify the department, or
6 the administrative office of the courts, whichever is providing the
7 monthly billing for the offender.

8 (~~(11)~~) (10) The requirement that the offender pay a monthly sum
9 towards a legal financial obligation constitutes a condition or
10 requirement of a sentence and the offender is subject to the
11 penalties for noncompliance as provided in RCW 9.94B.040, 9.94A.737,
12 or 9.94A.740. If the court determines that the offender is homeless
13 or a person who is mentally ill, as defined in RCW 71.24.025, failure
14 to pay a legal financial obligation is not willful noncompliance and
15 shall not subject the offender to penalties.

16 (~~(12)~~) (11)(a) The administrative office of the courts shall
17 mail individualized periodic billings to the address known by the
18 office for each offender with an unsatisfied legal financial
19 obligation.

20 (b) The billing shall direct payments to the county clerk.

21 (c) The county clerk shall provide the administrative office of
22 the courts with notice of payments by such offenders no less
23 frequently than weekly.

24 (d) The county clerks, the administrative office of the courts,
25 and the department shall maintain agreements to implement this
26 subsection.

27 (~~(13)~~) (12) The department shall arrange for the collection of
28 unpaid legal financial obligations during any period of supervision
29 in the community through the county clerk. The department shall
30 either collect unpaid legal financial obligations or arrange for
31 collections through another entity if the clerk does not assume
32 responsibility or is unable to continue to assume responsibility for
33 collection pursuant to subsection (~~(5)~~) (4) of this section. The
34 costs for collection services shall be paid by the offender.

35 (~~(14)~~) (13) The county clerk may access the records of the
36 employment security department for the purposes of verifying
37 employment or income, seeking any assignment of wages, or performing
38 other duties necessary to the collection of an offender's legal
39 financial obligations.

1 (~~(15)~~) (14) Nothing in this chapter makes the department, the
2 state, the counties, or any state or county employees, agents, or
3 other persons acting on their behalf liable under any circumstances
4 for the payment of these legal financial obligations or for the acts
5 of any offender who is no longer, or was not, subject to supervision
6 by the department for a term of community custody, and who remains
7 under the jurisdiction of the court for payment of legal financial
8 obligations.

9 **Sec. 12.** RCW 9.95.210 and 2023 c 449 s 11 are each amended to
10 read as follows:

11 (1)(a) Except as provided in (b) of this subsection in granting
12 probation, the superior court may suspend the imposition or the
13 execution of the sentence and may direct that the suspension may
14 continue upon such conditions and for such time as it shall
15 designate, not exceeding the maximum term of sentence or two years,
16 whichever is longer.

17 (b) For a defendant sentenced for a domestic violence offense, or
18 under RCW 46.61.5055, the superior court may suspend the imposition
19 or the execution of the sentence and may direct that the suspension
20 continue upon such conditions and for such time as the court shall
21 designate, not to exceed five years. The court shall have continuing
22 jurisdiction and authority to suspend the execution of all or any
23 part of the sentence upon stated terms, including installment payment
24 of fines. A defendant who has been sentenced, and who then fails to
25 appear for any hearing to address the defendant's compliance with the
26 terms of probation when ordered to do so by the court shall have the
27 term of probation tolled until such time as the defendant makes his
28 or her presence known to the court on the record. Any time before
29 entering an order terminating probation, the court may modify or
30 revoke its order suspending the imposition or execution of the
31 sentence if the defendant violates or fails to carry out any of the
32 conditions of the suspended sentence.

33 (2) In the order granting probation and as a condition thereof,
34 the superior court may in its discretion imprison the defendant in
35 the county jail for a period not exceeding one year and may fine the
36 defendant any sum not exceeding the statutory limit for the offense
37 committed, and court costs specifically authorized by statute. As a
38 condition of probation, the superior court may require the defendant
39 to make such monetary payments, on such terms as it deems appropriate

1 under the circumstances, as are necessary: (a) To comply with any
2 order of the court for the payment of family support; (b) to make
3 restitution to any person or persons who may have suffered loss or
4 damage by reason of the commission of the crime in question or when
5 the offender pleads guilty to a lesser offense or fewer offenses and
6 agrees with the prosecutor's recommendation that the offender be
7 required to pay restitution to a victim of an offense or offenses
8 which are not prosecuted pursuant to a plea agreement; (c) to pay
9 such fine as may be imposed and court costs specifically authorized
10 by statute, including reimbursement of the state for costs of
11 extradition if return to this state by extradition was required; (d)
12 (~~following consideration of the financial condition of the person~~
13 ~~subject to possible electronic monitoring, to pay for the costs of~~
14 ~~electronic monitoring if that monitoring was required by the court as~~
15 ~~a condition of release from custody or as a condition of probation;~~
16 ~~(e)~~) to contribute to a county or interlocal drug fund; and (~~(f)~~)
17 (e) to make restitution to a public agency for the costs of an
18 emergency response under RCW 38.52.430, and may require bonds for the
19 faithful observance of any and all conditions imposed in the
20 probation.

21 (3) The superior court shall order restitution in all cases where
22 the victim is entitled to benefits under the crime victims'
23 compensation act, chapter 7.68 RCW. If the superior court does not
24 order restitution and the victim of the crime has been determined to
25 be entitled to benefits under the crime victims' compensation act,
26 the department of labor and industries, as administrator of the crime
27 victims' compensation program, may petition the superior court within
28 one year of imposition of the sentence for entry of a restitution
29 order. Upon receipt of a petition from the department of labor and
30 industries, the superior court shall hold a restitution hearing and
31 shall enter a restitution order.

32 (4) At any time, including at sentencing, the court may determine
33 that the offender is not required to pay, or may relieve the offender
34 of the requirement to pay, full or partial restitution (~~and accrued~~
35 ~~interest on restitution~~) where the entity to whom restitution is
36 owed is an insurer or a state agency, except for restitution owed to
37 the department of labor and industries under chapter 7.68 RCW, if the
38 court finds that the offender does not have the current or likely
39 future ability to pay. A person does not have the current ability to
40 pay if the person is indigent as defined in (~~RCW 10.01.160(3)~~)

1 section 14 of this act. For the purposes of this subsection, the
2 terms "insurer" and "state agency" have the same meanings as provided
3 in RCW 9.94A.750(3).

4 (5) In granting probation, the superior court may order the
5 probationer to report to the secretary of corrections or such officer
6 as the secretary may designate and as a condition of the probation to
7 follow the instructions of the secretary for up to twelve months. If
8 the county legislative authority has elected to assume responsibility
9 for the supervision of superior court misdemeanor probationers
10 within its jurisdiction, the superior court misdemeanor probationer
11 shall report to a probation officer employed or contracted for by the
12 county. In cases where a superior court misdemeanor probationer is
13 sentenced in one county, but resides within another county, there
14 must be provisions for the probationer to report to the agency having
15 supervision responsibility for the probationer's county of residence.

16 (6) If the probationer has been ordered to make restitution and
17 the superior court has ordered supervision, the officer supervising
18 the probationer shall make a reasonable effort to ascertain whether
19 restitution has been made. If the superior court has ordered
20 supervision and restitution has not been made as ordered, the officer
21 shall inform the prosecutor of that violation of the terms of
22 probation not less than three months prior to the termination of the
23 probation period. The secretary of corrections will promulgate rules
24 and regulations for the conduct of the person during the term of
25 probation. For defendants found guilty in district court, like
26 functions as the secretary performs in regard to probation may be
27 performed by probation officers employed for that purpose by the
28 county legislative authority of the county wherein the court is
29 located.

30 (7) The provisions of RCW 9.94A.501 and 9.94A.5011 apply to
31 sentences imposed under this section.

32 (8) For purposes of this section, "domestic violence" means the
33 same as in RCW 10.99.020.

34 **Sec. 13.** RCW 10.01.160 and 2022 c 260 s 9 are each amended to
35 read as follows:

36 (1) ~~((Except as provided in subsection (3) of this section, the~~
37 ~~court may require a defendant to pay costs. Costs may be imposed only~~
38 ~~upon a convicted defendant, except for costs imposed upon a~~
39 ~~defendant's entry into a deferred prosecution program, costs imposed~~

1 upon a defendant for pretrial supervision, or costs imposed upon a
2 defendant for preparing and serving a warrant for failure to appear.

3 (2) Costs shall be limited to expenses specially incurred by the
4 state in prosecuting the defendant or in administering the deferred
5 prosecution program under chapter 10.05 RCW or pretrial supervision.
6 They cannot include expenses inherent in providing a constitutionally
7 guaranteed jury trial or expenditures in connection with the
8 maintenance and operation of government agencies that must be made by
9 the public irrespective of specific violations of law. Expenses
10 incurred for serving of warrants for failure to appear and jury fees
11 under RCW 10.46.190 may be included in costs the court may require a
12 defendant to pay. Costs for administering a deferred prosecution may
13 not exceed \$250. Costs for administering a pretrial supervision other
14 than a pretrial electronic alcohol monitoring program, drug
15 monitoring program, or 24/7 sobriety program may not exceed \$150.
16 Costs for preparing and serving a warrant for failure to appear may
17 not exceed \$100. Costs of incarceration imposed on a defendant
18 convicted of a misdemeanor or a gross misdemeanor may not exceed the
19 actual cost of incarceration. In no case may the court require the
20 offender to pay more than \$100 per day for the cost of incarceration.
21 Payment of other court-ordered financial obligations, including all
22 legal financial obligations and costs of supervision take precedence
23 over the payment of the cost of incarceration ordered by the court.
24 All funds received from defendants for the cost of incarceration in
25 the county or city jail must be remitted for criminal justice
26 purposes to the county or city that is responsible for the
27 defendant's jail costs. Costs imposed constitute a judgment against a
28 defendant and survive a dismissal of the underlying action against
29 the defendant. However, if the defendant is acquitted on the
30 underlying action, the costs for preparing and serving a warrant for
31 failure to appear do not survive the acquittal, and the judgment that
32 such costs would otherwise constitute shall be vacated.

33 (3) The court shall not order a defendant to pay costs if the
34 defendant at the time of sentencing is indigent. In determining the
35 amount and method of payment of costs for defendants who are not
36 indigent, the court shall take account of the financial resources of
37 the defendant and the nature of the burden that payment of costs will
38 impose. For the purposes of this section, a defendant is "indigent"
39 if the defendant: (a) Meets the criteria defined in RCW 10.101.010(3)
40 (a) through (c); (b) is homeless or mentally ill as defined in RCW

1 ~~71.24.025; (c) has household income above 125 percent of the federal~~
2 ~~poverty guidelines and has recurring basic living costs, as defined~~
3 ~~in RCW 10.101.010, that render the defendant without the financial~~
4 ~~ability to pay; or (d) has other compelling circumstances that exist~~
5 ~~that demonstrate an inability to pay.~~

6 ~~(4) A defendant who has been ordered to pay costs and who has not~~
7 ~~willfully failed to pay the obligation, as described in RCW~~
8 ~~9.94A.6333, 9.94B.040, and 10.01.180, may at any time petition the~~
9 ~~sentencing court for remission of the payment of costs or of any~~
10 ~~unpaid portion thereof. If it appears to the satisfaction of the~~
11 ~~court that payment of the amount due will impose manifest hardship on~~
12 ~~the defendant or the defendant's immediate family, the court may~~
13 ~~remit all or part of the amount due in costs, modify the method of~~
14 ~~payment under RCW 10.01.170, or convert the unpaid costs to community~~
15 ~~restitution hours, if the jurisdiction operates a community~~
16 ~~restitution program, at the rate of no less than the state minimum~~
17 ~~wage established in RCW 49.46.020 for each hour of community~~
18 ~~restitution. Manifest hardship exists where the defendant is indigent~~
19 ~~as defined in subsection (3) of this section.~~

20 ~~(5) Except for direct costs relating to evaluating and reporting~~
21 ~~to the court, prosecutor, or defense counsel regarding a defendant's~~
22 ~~competency to stand trial as provided in RCW 10.77.060, this)) The~~
23 ~~court shall not order a defendant to pay costs except as specifically~~
24 ~~authorized by statute. "Costs" means any amount, whether designated a~~
25 ~~fee, assessment, or cost, that is imposed for the costs associated~~
26 ~~with a defendant's arrest, prosecution, detention, or supervision in~~
27 ~~connection with a criminal offense.~~

28 (2) This section shall not apply to costs related to medical or
29 mental health treatment or services a defendant receives while in
30 custody of the secretary of the department of social and health
31 services or other governmental units. This section shall not prevent
32 the secretary of the department of social and health services or
33 other governmental units from imposing liability and seeking
34 reimbursement from a defendant committed to an appropriate facility
35 as provided in RCW 10.77.084 while criminal proceedings are stayed.
36 This section shall also not prevent governmental units from imposing
37 liability on defendants for costs related to providing medical or
38 mental health treatment while the defendant is in the governmental
39 unit's custody. Medical or mental health treatment and services a
40 defendant receives at a state hospital or other facility are not a

1 cost of prosecution and shall be recoverable under RCW 10.77.250 and
2 70.48.130, chapter 43.20B RCW, and any other applicable statute.

3 NEW SECTION. **Sec. 14.** A new section is added to chapter 10.01
4 RCW to read as follows:

5 For the purposes of this chapter, a defendant is "indigent" if
6 the defendant: (1) Meets the criteria defined in RCW 10.101.010(3)
7 (a) through (c); (2) is homeless or mentally ill as defined in RCW
8 71.24.025; (3) has household income above 200 percent of the federal
9 poverty guidelines and has recurring basic living costs, as defined
10 in RCW 10.101.010, that render the defendant without the financial
11 ability to pay; or (4) has other compelling circumstances that exist
12 that demonstrate an inability to pay.

13 **Sec. 15.** RCW 10.01.170 and 2022 c 260 s 19 are each amended to
14 read as follows:

15 (1) When a defendant is sentenced to pay fines, penalties,
16 assessments, fees, restitution, or costs, the court may grant
17 permission for payment to be made within a specified period of time
18 or in specified installments. If the court finds that the defendant
19 is indigent as defined in (~~RCW 10.01.160(3)~~) section 14 of this
20 act, the court shall grant permission for payment to be made within a
21 specified period of time or in specified installments. If no such
22 permission is included in the sentence the fine or costs shall be
23 payable forthwith.

24 (2) An offender's monthly payment shall be applied in the
25 following order of priority until satisfied:

26 (a) First, proportionally to restitution to victims that have not
27 been fully compensated from other sources;

28 (b) Second, proportionally to restitution to insurance or other
29 sources with respect to a loss that has provided compensation to
30 victims;

31 (c) Third, proportionally to crime victims' assessments; and

32 (d) Fourth, proportionally to costs, fines, and other assessments
33 required by law.

34 (3) No additional fee, penalty, or assessment may be charged for
35 a defendant to pay legal financial obligations over a period of time
36 or in installments.

1 **Sec. 16.** RCW 10.05.140 and 2019 c 263 s 706 are each amended to
2 read as follows:

3 (1) As a condition of granting a deferred prosecution petition,
4 the court shall order that the petitioner shall not operate a motor
5 vehicle upon the public highways without a valid operator's license
6 and proof of liability insurance. The amount of liability insurance
7 shall be established by the court at not less than that established
8 by RCW 46.29.490. As a condition of granting a deferred prosecution
9 petition on any alcohol-dependency based case, the court shall also
10 order the installation of an ignition interlock under RCW 46.20.720.
11 The required periods of use of the interlock shall be not less than
12 the periods provided for in RCW 46.20.720. As a condition of granting
13 a deferred prosecution petition, the court may order the petitioner
14 to make restitution (~~and~~). The court may not order the petitioner
15 to pay costs as defined in RCW 10.01.160 except as specifically
16 authorized by statute. To help ensure continued sobriety and reduce
17 the likelihood of reoffense, the court may order reasonable
18 conditions during the period of the deferred prosecution including,
19 but not limited to, attendance at self-help recovery support groups
20 for alcoholism or drugs, complete abstinence from alcohol and all
21 nonprescribed mind-altering drugs, periodic urinalysis or breath
22 analysis, and maintaining law-abiding behavior. The court may
23 terminate the deferred prosecution program upon violation of the
24 deferred prosecution order.

25 (2) As a condition of granting a deferred prosecution petition
26 for a case involving a domestic violence behavior problem:

27 (a) The court shall order the petitioner not to possess firearms
28 and order the petitioner to surrender firearms under RCW 9.41.800;
29 and

30 (b) The court may order the petitioner to make restitution
31 (~~and~~). The court may not order the petitioner to pay costs as
32 defined in RCW 10.01.160 except as specifically authorized by
33 statute. In addition, to help ensure continued sobriety and reduce
34 the likelihood of reoffense in co-occurring domestic violence and
35 substance abuse or mental health cases, the court may order
36 reasonable conditions during the period of the deferred prosecution
37 including, but not limited to, attendance at self-help recovery
38 support groups for alcoholism or drugs, complete abstinence from
39 alcohol and all nonprescribed mind-altering drugs, periodic
40 urinalysis or breath analysis, and maintaining law-abiding behavior.

1 The court may terminate the deferred prosecution program upon
2 violation of the deferred prosecution order.

3 **Sec. 17.** RCW 10.05.140 and 2024 c 306 s 21 are each amended to
4 read as follows:

5 (1) As a condition of granting a deferred prosecution petition
6 for a violation of RCW 46.61.502 or 46.61.504, the court shall order
7 that the petitioner shall not operate a motor vehicle upon the public
8 highways without a valid operator's license and proof of liability
9 insurance. The amount of liability insurance shall be established by
10 the court at not less than that established by RCW 46.29.490. As a
11 condition of granting a deferred prosecution petition on any
12 substance use disorder-based case, the court shall also order the
13 installation of an ignition interlock under RCW 46.20.720. The
14 required periods of use of the interlock shall be not less than the
15 periods provided for in RCW 46.20.720. As a condition of granting a
16 deferred prosecution petition, the court may order the petitioner to
17 make restitution (~~and~~). The court may not order the petitioner
18 to pay costs as defined in RCW 10.01.160 except as specifically
19 authorized by statute. To help ensure continued sobriety and reduce
20 the likelihood of reoffense, the court may order reasonable
21 conditions during the period of the deferred prosecution including,
22 but not limited to, attendance at self-help recovery support groups
23 for substance use disorder, complete abstinence from alcohol and all
24 nonprescribed mind-altering drugs, periodic urinalysis or breath
25 analysis, and maintaining law-abiding behavior. The court may
26 terminate the deferred prosecution upon violation of the deferred
27 prosecution order.

28 (2) As a condition of granting a deferred prosecution petition
29 for a case involving a domestic violence behavior problem:

30 (a) The court shall order the petitioner not to possess firearms
31 and order the petitioner to surrender firearms under RCW 9.41.800;
32 and

33 (b) The court may order the petitioner to make restitution
34 (~~and~~). The court may not order the petitioner
35 to pay costs as defined in RCW 10.01.160 except as specifically authorized by
36 statute. In addition, to help ensure continued sobriety and reduce
37 the likelihood of reoffense in co-occurring domestic violence and
38 substance use disorder or mental health disorder cases, the court may
39 order reasonable conditions during the period of the deferred

1 prosecution including, but not limited to, attendance at self-help
2 recovery support groups for substance use disorder, complete
3 abstinence from alcohol and all nonprescribed mind-altering drugs,
4 periodic urinalysis or breath analysis, and maintaining law-abiding
5 behavior. The court may terminate the deferred prosecution upon
6 violation of the deferred prosecution order.

7 **Sec. 18.** RCW 10.05.170 and 1991 c 247 s 2 are each amended to
8 read as follows:

9 As a condition of granting deferred prosecution, the court may
10 order supervision of the petitioner during the period of deferral
11 (~~and may levy a monthly assessment upon the petitioner as provided~~
12 ~~in RCW 10.64.120~~). The court may not charge a fee or assessment in
13 connection with the deferred prosecution. In a jurisdiction with a
14 probation department, the court may appoint the probation department
15 to supervise the petitioner. In a jurisdiction without a probation
16 department, the court may appoint an appropriate person or agency to
17 supervise the petitioner. A supervisor appointed under this section
18 shall be required to do at least the following:

19 (1) If the charge for which deferral is granted relates to
20 operation of a motor vehicle, at least once every six months request
21 from the department of licensing an abstract of the petitioner's
22 driving record; and

23 (2) At least once every month make contact with the petitioner or
24 with any agency to which the petitioner has been directed for
25 treatment as a part of the deferral.

26 **Sec. 19.** RCW 10.05.170 and 2024 c 306 s 25 are each amended to
27 read as follows:

28 As a condition of granting deferred prosecution, the court may
29 order supervision of the petitioner during the period of deferral
30 (~~and may levy a monthly assessment upon the petitioner as provided~~
31 ~~in RCW 10.64.120~~). The court may not charge a fee or assessment in
32 connection with the deferred prosecution. In a jurisdiction with a
33 probation department, the court may appoint the probation department
34 to supervise the petitioner. In a jurisdiction without a probation
35 department, the court may appoint an appropriate person or agency to
36 supervise the petitioner. A supervisor appointed under this section
37 shall be required to do at least the following:

1 (1) If the charge for which deferral is granted relates to
2 operation of a motor vehicle, at least once every three months
3 request an abstract of the petitioner's driving record;

4 (2) At least once every month make contact with the petitioner
5 until treatment is completed;

6 (3) Review the petitioner's criminal history at a minimum of
7 every 90 days until the end of the deferral period; and

8 (4) Report known violations of supervision or law and
9 noncompliance with conditions of the deferred prosecution to the
10 court within five business days or as soon as practicable.

11 **Sec. 20.** RCW 10.64.015 and 2022 c 260 s 11 are each amended to
12 read as follows:

13 When the defendant is found guilty, the court shall render
14 judgment accordingly(~~(, and the defendant may be liable for all~~
15 ~~costs, unless the court or jury trying the cause expressly find~~
16 ~~otherwise)).~~ The court shall not order a defendant to pay costs, as
17 ~~((described))~~ defined in RCW 10.01.160, except as specifically
18 authorized by statute. The court shall not order a defendant to pay
19 costs if the court finds that the person at the time of sentencing is
20 indigent as defined in (~~(RCW 10.01.160(3))~~) section 14 of this act.

21 **Sec. 21.** RCW 10.64.120 and 2021 c 41 s 4 are each amended to
22 read as follows:

23 ~~(1) ((Every judge of a court of limited jurisdiction shall have~~
24 ~~the authority to levy upon a person a monthly assessment not to~~
25 ~~exceed one hundred dollars for services provided whenever the person~~
26 ~~is referred by the court to the misdemeanor probation department for~~
27 ~~evaluation or supervision services. The assessment may also be made~~
28 ~~by a judge in superior court when such misdemeanor or gross~~
29 ~~misdemeanor cases are heard in the superior court. Nothing in this~~
30 ~~subsection prevents contracting jurisdictions under RCW 39.34.180(6)~~
31 ~~from agreeing to the division of moneys received for probation~~
32 ~~supervision services.~~

33 ~~(2) For the purposes of this section the)~~ The administrative
34 office of the courts shall define a probation department and adopt
35 rules for the qualifications of probation officers based on
36 occupational and educational requirements developed by an oversight
37 committee. This oversight committee shall include a representative
38 from the district and municipal court judges' association, the

1 misdemeanor corrections association, the administrative office of
2 the courts, and associations of cities and counties. The oversight
3 committee shall consider qualifications that provide the training and
4 education necessary to (a) conduct presentencing and postsentencing
5 background investigations, including sentencing recommendations to
6 the court regarding jail terms, alternatives to incarceration, and
7 conditions of release; and (b) provide ongoing supervision and
8 assessment of offenders' needs and the risk they pose to the
9 community.

10 ~~((3) It shall be the responsibility of the probation services~~
11 ~~office to implement local procedures approved by the court of limited~~
12 ~~jurisdiction to ensure collection and payment of such fees into the~~
13 ~~general fund of the city or county treasury.~~

14 ~~(4) Revenues raised under this section shall be used to fund~~
15 ~~programs for probation services and shall be in addition to those~~
16 ~~funds provided in RCW 3.62.050.~~

17 ~~(5) Assessments and fees levied upon a probationer under this~~
18 ~~section must be suspended while the probationer is being supervised~~
19 ~~by another state under RCW 9.94A.745, the interstate compact for~~
20 ~~adult offender supervision.)~~ (2) Probation departments may not levy
21 fees or assessments related to any misdemeanor or felony evaluation
22 or supervision services.

23 **Sec. 22.** RCW 10.82.070 and 2012 c 136 s 6 are each amended to
24 read as follows:

25 (1) All sums of money derived from costs, fines, penalties, and
26 forfeitures imposed or collected, in whole or in part, by a superior
27 court for violation of orders of injunction, mandamus and other like
28 writs, for contempt of court, or for breach of the penal laws shall
29 be paid in cash by the person collecting the same, within twenty days
30 after the collection, to the county treasurer of the county in which
31 the same have accrued.

32 (2) Except as provided in RCW 9A.88.120 and 10.99.080, the county
33 treasurer shall remit monthly thirty-two percent of the money
34 received under this section except for certain costs to the state
35 treasurer for deposit in the state general fund and shall deposit the
36 remainder as provided by law. "Certain costs" as used in this
37 subsection, means those costs awarded to prevailing parties in civil
38 actions under RCW 4.84.010 or 36.18.040, or those costs awarded
39 against convicted defendants in criminal actions ~~((under RCW~~

1 ~~10.01.160, 10.46.190, or 36.18.040, or other similar statutes))~~ as
2 specifically authorized by statute if such costs are specifically
3 designated as costs by the court (~~and are awarded for the specific~~
4 ~~reimbursement of costs incurred by the state or county in the~~
5 ~~prosecution of the case, including the fees of defense counsel)).~~
6 Costs or assessments awarded to dedicated accounts, state or local,
7 are not subject to this state allocation or to RCW 7.68.035.

8 (3) All fees, fines, forfeitures and penalties collected or
9 assessed by a district court because of the violation of a state law
10 shall be remitted as provided in chapter 3.62 RCW as now exists or is
11 later amended. All fees, fines, forfeitures, and penalties collected
12 or assessed by a superior court in cases on appeal from a lower court
13 shall be remitted to the municipal or district court from which the
14 cases were appealed.

15 **Sec. 23.** RCW 10.101.020 and 1997 c 41 s 5 are each amended to
16 read as follows:

17 (1) A determination of indigency shall be made for all persons
18 wishing the appointment of counsel in criminal, juvenile, involuntary
19 commitment, and dependency cases, and any other case where the right
20 to counsel attaches. The court or its designee shall determine
21 whether the person is indigent pursuant to the standards set forth in
22 this chapter.

23 (2) In making the determination of indigency, the court shall
24 also consider the anticipated length and complexity of the
25 proceedings and the usual and customary charges of an attorney in the
26 community for rendering services, and any other circumstances
27 presented to the court which are relevant to the issue of indigency.
28 The appointment of counsel shall not be denied to the person because
29 the person's friends or relatives, other than a spouse who was not
30 the victim of any offense or offenses allegedly committed by the
31 person, have resources adequate to retain counsel, or because the
32 person has posted or is capable of posting bond.

33 (3) The determination of indigency shall be made upon the
34 defendant's initial contact with the court or at the earliest time
35 circumstances permit. The court or its designee shall keep a written
36 record of the determination of indigency. Any information given by
37 the accused under this (~~section or sections~~) chapter shall be
38 confidential and shall not be available for use by the prosecution in
39 the pending case.

1 (4) If a determination of eligibility cannot be made before the
2 time when the first services are to be rendered, the court shall
3 appoint an attorney on a provisional basis. If the court subsequently
4 determines that the person receiving the services is ineligible, the
5 court shall notify the person of the termination of services, subject
6 to court-ordered reinstatement.

7 ~~(5) ((All persons determined to be indigent and able to
8 contribute, shall be required to execute a promissory note at the
9 time counsel is appointed. The person shall be informed whether
10 payment shall be made in the form of a lump sum payment or periodic
11 payments. The payment and payment schedule must be set forth in
12 writing. The person receiving the appointment of counsel shall also
13 sign an affidavit swearing under penalty of perjury that all income
14 and assets reported are complete and accurate. In addition, the
15 person must swear in the affidavit to immediately report any change
16 in financial status to the court.~~

17 ~~(6))~~ The office or individual charged by the court to make the
18 determination of indigency shall provide a written report and opinion
19 as to indigency on a form prescribed by the office of public defense,
20 based on information obtained from the defendant and subject to
21 verification. The form shall include information necessary to provide
22 a basis for making a determination with respect to indigency as
23 provided by this chapter.

24 (6) A defendant who is indigent shall not be charged costs or
25 fees for court-appointed counsel.

26 **Sec. 24.** RCW 35.20.220 and 2018 c 269 s 5 are each amended to
27 read as follows:

28 (1) The chief clerk, under the supervision and direction of the
29 court administrator of the municipal court, shall have the custody
30 and care of the books, papers and records of the court. The chief
31 clerk or a deputy shall be present during the session of the court
32 and has the power to swear all witnesses and jurors, administer oaths
33 and affidavits, and take acknowledgments. The chief clerk shall keep
34 the records of the court and shall issue all process under his or her
35 hand and the seal of the court. The chief clerk shall do and perform
36 all things and have the same powers pertaining to the office as the
37 clerks of the superior courts have in their office. He or she shall
38 receive all fines, penalties, and fees of every kind and keep a full,
39 accurate, and detailed account of the same. The chief clerk shall on

1 each day pay into the city treasury all money received for the city
2 during the day previous, with a detailed account of the same, and
3 taking the treasurer's receipt therefor.

4 (2) Except as provided in RCW 9A.88.120 and 10.99.080, the city
5 treasurer shall remit monthly thirty-two percent of the noninterest
6 money received under this section, other than for parking infractions
7 and certain costs to the state treasurer. "Certain costs" as used in
8 this subsection, means those costs awarded to prevailing parties in
9 civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded
10 against convicted defendants in criminal actions (~~under RCW~~
11 ~~10.01.160, 10.46.190, or 36.18.040, or other similar statutes~~) as
12 specifically authorized by statute if such costs are specifically
13 designated as costs by the court (~~and are awarded for the specific~~
14 ~~reimbursement of costs incurred by the state, county, city, or town~~
15 ~~in the prosecution of the case, including the fees of defense~~
16 ~~counsel~~). Money remitted under this subsection to the state
17 treasurer shall be deposited in the state general fund.

18 (3) The balance of the noninterest money received under this
19 section shall be retained by the city and deposited as provided by
20 law.

21 (4) (a) Except as provided in (b) of this subsection, penalties,
22 fines, fees, and costs may accrue interest at the rate of twelve
23 percent per annum, upon assignment to a collection agency. Interest
24 may accrue only while the case is in collection status.

25 (b) As of June 7, 2018, penalties, fines, bail forfeitures, fees,
26 and costs imposed against a defendant in a criminal proceeding shall
27 not accrue interest.

28 (5) Interest retained by the court on penalties, fines, bail
29 forfeitures, fees, and costs shall be split twenty-five percent to
30 the state treasurer for deposit in the state general fund, twenty-
31 five percent to the state treasurer for deposit in the judicial
32 information system account as provided in RCW 2.68.020, twenty-five
33 percent to the city general fund, and twenty-five percent to the city
34 general fund to fund local courts.

35 **Sec. 25.** RCW 36.18.016 and 2022 c 29 s 12 are each amended to
36 read as follows:

37 (1) Revenue collected under this section is not subject to
38 division under RCW 36.18.025 or 27.24.070.

1 (2) (a) For the filing of a petition for modification of a decree
2 of dissolution or paternity, within the same case as the original
3 action, and any party filing a counterclaim, cross-claim, or third-
4 party claim in any such action, a fee of \$36 must be paid.

5 (b) The party filing the first or initial petition for
6 dissolution, legal separation, or declaration concerning the validity
7 of marriage shall pay, at the time and in addition to the filing fee
8 required under RCW 36.18.020, a fee of \$54. The clerk of the superior
9 court shall transmit monthly \$48 of the \$54 fee collected under this
10 subsection to the state treasury for deposit in the domestic violence
11 prevention account. The remaining six dollars shall be retained by
12 the county for the purpose of supporting community-based domestic
13 violence services within the county, except for five percent of the
14 six dollars, which may be retained by the court for administrative
15 purposes. On or before December 15th of each year, the county shall
16 report to the department of social and health services revenues
17 associated with this section and community-based domestic violence
18 services expenditures. The department of social and health services
19 shall develop a reporting form to be utilized by counties for uniform
20 reporting purposes.

21 (3) ~~((a))~~ The party making a demand for a jury of six in a civil
22 action shall pay, at the time, a fee of \$125; if the demand is for a
23 jury of 12, a fee of \$250. If, after the party demands a jury of six
24 and pays the required fee, any other party to the action requests a
25 jury of 12, an additional \$125 fee will be required of the party
26 demanding the increased number of jurors.

27 ~~((b) Upon conviction in criminal cases a jury demand charge of
28 \$125 for a jury of six, or \$250 for a jury of 12 may be imposed as
29 costs under RCW 10.46.190.))~~

30 (4) For preparing a certified copy of an instrument on file or of
31 record in the clerk's office, for the first page or portion of the
32 first page, a fee of five dollars, and for each additional page or
33 portion of a page, a fee of one dollar must be charged. For
34 authenticating or exemplifying an instrument, a fee of two dollars
35 for each additional seal affixed must be charged. For preparing a
36 copy of an instrument on file or of record in the clerk's office
37 without a seal, a fee of 50 cents per page must be charged. When
38 copying a document without a seal or file that is in an electronic
39 format, a fee of 25 cents per page must be charged. For copies made

1 on a compact disc, an additional fee of \$20 for each compact disc
2 must be charged.

3 (5) For executing a certificate, with or without a seal, a fee of
4 two dollars must be charged.

5 (6) For a garnishee defendant named in an affidavit for
6 garnishment and for a writ of attachment, a fee of \$20 must be
7 charged.

8 (7) For filing a supplemental proceeding, a fee of \$20 must be
9 charged.

10 (8) For approving a bond, including justification on the bond, in
11 other than civil actions and probate proceedings, a fee of two
12 dollars must be charged.

13 (9) For the issuance of a certificate of qualification and a
14 certified copy of letters of administration, letters testamentary, or
15 letters of guardianship, there must be a fee of five dollars.

16 (10) For the preparation of a passport application, the clerk may
17 collect an execution fee as authorized by the federal government.

18 (11) For clerk's services such as performing historical searches,
19 compiling statistical reports, and conducting exceptional record
20 searches, the clerk may collect a fee not to exceed \$30 per hour.

21 (12) For processing ex parte orders, the clerk may collect a fee
22 of \$30.

23 (13) For duplicated recordings of court's proceedings there must
24 be a fee of \$10 for each audiotape and \$25 for each video or other
25 electronic storage medium.

26 (14) For registration of land titles, Torrens Act, under RCW
27 65.12.780, a fee of \$20 must be charged.

28 (15) For the issuance of extension of judgment under RCW 6.17.020
29 and chapter 9.94A RCW, a fee of \$200 must be charged. When the
30 extension of judgment is at the request of the clerk, the \$200 charge
31 may be imposed as court costs (~~under RCW 10.46.190~~). This charge
32 may not be imposed in criminal cases except as provided in RCW
33 6.17.020.

34 (16) A facilitator surcharge of up to \$20 must be charged as
35 authorized under RCW 26.12.240.

36 (17) For filing an adjudication claim under RCW 90.03.180, a fee
37 of \$25 must be charged.

38 (18) For filing a claim of frivolous lien under RCW 60.04.081 or
39 60.90.130 or filing an action to release a lien under RCW 60.90.090
40 and 60.90.140, a fee of \$35 must be charged.

1 (19) For preparation of a change of venue, a fee of \$20 must be
2 charged by the originating court in addition to the per page charges
3 in subsection (4) of this section.

4 (20) A service fee of five dollars for the first page and one
5 dollar for each additional page must be charged for receiving faxed
6 documents, pursuant to Washington state rules of court, general rule
7 17.

8 (21) For preparation of clerk's papers under RAP 9.7, a fee of 50
9 cents per page must be charged.

10 (22) For copies and reports produced at the local level as
11 permitted by RCW 2.68.020 and supreme court policy, a variable fee
12 must be charged.

13 (23) Investment service charge and earnings under RCW 36.48.090
14 must be charged.

15 (24) Costs for nonstatutory services rendered by clerk by
16 authority of local ordinance or policy must be charged.

17 (25) For filing a request for civil arbitration, a filing fee may
18 be assessed against the party filing a statement of arbitrability not
19 to exceed \$250 as established by authority of local ordinance. \$220
20 of this charge shall be used to offset the cost of the civil
21 arbitration program. \$30 of each fee collected under this subsection
22 must be used for indigent defense services.

23 (26) For filing a request for trial de novo of a civil
24 arbitration award, a fee not to exceed \$400 as established by
25 authority of local ordinance must be charged.

26 (27) A public agency may not charge a fee to a law enforcement
27 agency, for preparation, copying, or mailing of certified copies of
28 the judgment and sentence, information, affidavit of probable cause,
29 and/or the notice of requirement to register, of a sex offender
30 convicted in a Washington court, when such records are necessary for
31 risk assessment, preparation of a case for failure to register, or
32 maintenance of a sex offender's registration file.

33 (28) For the filing of a will or codicil under the provisions of
34 chapter 11.12 RCW, a fee of \$20 must be charged.

35 (29) A surcharge of up to \$20 may be charged in dissolution and
36 legal separation actions as authorized by RCW 26.12.260.

37 The revenue to counties from the fees established in this section
38 shall be deemed to be complete reimbursement from the state for the
39 state's share of benefits paid to the superior court judges of the

1 state prior to July 24, 2005, and no claim shall lie against the
2 state for such benefits.

3 **Sec. 26.** RCW 36.18.020 and 2022 c 260 s 17 are each amended to
4 read as follows:

5 (1) Revenue collected under this section is subject to division
6 with the state under RCW 36.18.025 and with the county or regional
7 law library fund under RCW 27.24.070, except as provided in
8 subsection (~~((5))~~) (6) of this section.

9 (2) Clerks of superior courts shall collect the following fees
10 for their official services:

11 (a) In addition to any other fee required by law, the party
12 filing the first or initial document in any civil action, including,
13 but not limited to an action for restitution, adoption, or change of
14 name, and any party filing a counterclaim, cross-claim, or third-
15 party claim in any such civil action, shall pay, at the time the
16 document is filed, a fee of \$200 except, in an unlawful detainer
17 action under chapter 59.18 or 59.20 RCW for which the plaintiff shall
18 pay a case initiating filing fee of \$45, or in proceedings filed
19 under RCW 28A.225.030 alleging a violation of the compulsory
20 attendance laws where the petitioner shall not pay a filing fee. The
21 \$45 filing fee under this subsection for an unlawful detainer action
22 shall not include an order to show cause or any other order or
23 judgment except a default order or default judgment in an unlawful
24 detainer action.

25 (b) Any party, except a defendant in a criminal case, filing the
26 first or initial document on an appeal from a court of limited
27 jurisdiction or any party on any civil appeal, shall pay, when the
28 document is filed, a fee of \$200.

29 (c) For filing of a petition for judicial review as required
30 under RCW 34.05.514 a filing fee of \$200.

31 (d) For filing of a petition for an antiharassment protection
32 order under RCW 7.105.100 a filing fee of \$53.

33 (e) For filing the notice of debt due for the compensation of a
34 crime victim under RCW 7.68.120(2)(a) a fee of \$200.

35 (f) In probate proceedings, the party instituting such
36 proceedings, shall pay at the time of filing the first document
37 therein, a fee of \$200.

38 (g) For filing any petition to contest a will admitted to probate
39 or a petition to admit a will which has been rejected, or a petition

1 objecting to a written agreement or memorandum as provided in RCW
2 11.96A.220, there shall be paid a fee of \$200.

3 ~~(h) ((Upon conviction or plea of guilty, upon failure to
4 prosecute an appeal from a court of limited jurisdiction as provided
5 by law, or upon affirmance of a conviction by a court of limited
6 jurisdiction, an adult defendant in a criminal case shall be liable
7 for a fee of two hundred dollars, except this fee shall not be
8 imposed on a defendant who is indigent as defined in RCW
9 10.01.160(3). Upon motion by the defendant, the court may waive or
10 reduce any fee previously imposed under this subsection if the court
11 finds that the defendant is indigent as defined in RCW 10.01.160(3).~~

12 ~~(i))~~ With the exception of demands for jury hereafter made and
13 garnishments hereafter issued, civil actions and probate proceedings
14 filed prior to midnight, July 1, 1972, shall be completed and
15 governed by the fee schedule in effect as of January 1, 1972.
16 However, no fee shall be assessed if an order of dismissal on the
17 clerk's record be filed as provided by rule of the supreme court.

18 (3) No filing fee shall be charged or collected in a criminal
19 case.

20 (4) No fee shall be collected when a petition for relinquishment
21 of parental rights is filed pursuant to RCW 26.33.080 or for forms
22 and instructional brochures provided under RCW 7.105.115.

23 ~~((4))~~ (5) No fee shall be collected when an abstract of
24 judgment is filed by the county clerk of another county for the
25 purposes of collection of legal financial obligations.

26 ~~((5))~~ (6)(a) In addition to the fees required to be collected
27 under this section, clerks of the superior courts must collect the
28 following surcharges ~~((as provided in this subsection (5))~~ of which
29 75 percent must be remitted to the state treasurer for deposit in the
30 judicial stabilization trust account and 25 percent must be retained
31 by the county.

32 (b) On filing fees required to be collected under subsection
33 (2)(b) of this section, a surcharge of \$30 must be collected.

34 (c) On all filing fees required to be collected under this
35 section, except for fees required under subsection (2)(b) ~~((7))~~ and
36 ~~(d) ((7 and (h)))~~ of this section, a surcharge of \$40 must be
37 collected.

38 **Sec. 27.** RCW 4.56.110 and 2019 c 371 s 1 are each amended to
39 read as follows:

1 Interest on judgments shall accrue as follows:

2 (1) Judgments founded on written contracts, providing for the
3 payment of interest until paid at a specified rate, shall bear
4 interest at the rate specified in the contracts: PROVIDED, That said
5 interest rate is set forth in the judgment.

6 (2) All judgments for unpaid child support that have accrued
7 under a superior court order or an order entered under the
8 administrative procedure act shall bear interest at the rate of
9 twelve percent.

10 (3) (a) Judgments founded on the tortious conduct of a "public
11 agency" as defined in RCW 42.30.020 shall bear interest from the date
12 of entry at two percentage points above the equivalent coupon issue
13 yield, as published by the board of governors of the federal reserve
14 system, of the average bill rate for twenty-six week treasury bills
15 as determined at the first bill market auction conducted during the
16 calendar month immediately preceding the date of entry. In any case
17 where a court is directed on review to enter judgment on a verdict or
18 in any case where a judgment entered on a verdict is wholly or partly
19 affirmed on review, interest on the judgment or on that portion of
20 the judgment affirmed shall date back to and shall accrue from the
21 date the verdict was rendered.

22 (b) Except as provided in (a) of this subsection, judgments
23 founded on the tortious conduct of individuals or other entities,
24 whether acting in their personal or representative capacities, shall
25 bear interest from the date of entry at two percentage points above
26 the prime rate, as published by the board of governors of the federal
27 reserve system on the first business day of the calendar month
28 immediately preceding the date of entry. In any case where a court is
29 directed on review to enter judgment on a verdict or in any case
30 where a judgment entered on a verdict is wholly or partly affirmed on
31 review, interest on the judgment or on that portion of the judgment
32 affirmed shall date back to and shall accrue from the date the
33 verdict was rendered.

34 (4) Except as provided under subsection (1) of this section,
35 judgments for unpaid private student loan debt, as defined in RCW
36 6.01.060, shall bear interest from the date of entry at two
37 percentage points above the prime rate, as published by the board of
38 governors of the federal reserve system on the first business day of
39 the calendar month immediately preceding the date of entry.

1 (5) Except as provided under subsection (1) of this section,
2 judgments for unpaid consumer debt, as defined in RCW 6.01.060, shall
3 bear interest from the date of entry at a rate of nine percent.

4 (6) Except as provided under subsections (1) through (5) of this
5 section, judgments shall bear interest from the date of entry at the
6 maximum rate permitted under RCW 19.52.020 on the date of entry
7 thereof. In any case where a court is directed on review to enter
8 judgment on a verdict or in any case where a judgment entered on a
9 verdict is wholly or partly affirmed on review, interest on the
10 judgment or on that portion of the judgment affirmed shall date back
11 to and shall accrue from the date the verdict was rendered. The
12 method for determining an interest rate prescribed by this subsection
13 is also the method for determining the "rate applicable to civil
14 judgments" for purposes of RCW (~~(10.82.090)~~) 10.01.090.

15 **Sec. 28.** RCW 6.17.020 and 2022 c 260 s 5 are each amended to
16 read as follows:

17 (1) Except as provided in subsections (2), (3), and (4) of this
18 section, the party in whose favor a judgment of a court has been or
19 may be filed or rendered, or the assignee or the current holder
20 thereof, may have an execution, garnishment, or other legal process
21 issued for the collection or enforcement of the judgment at any time
22 within 10 years from entry of the judgment or the filing of the
23 judgment in this state.

24 (2) After July 23, 1989, a party who obtains a judgment or order
25 of a court or an administrative order entered as defined in RCW
26 74.20A.020(6) for accrued child support, or the assignee or the
27 current holder thereof, may have an execution, garnishment, or other
28 legal process issued upon that judgment or order at any time within
29 10 years of the 18th birthday of the youngest child named in the
30 order for whom support is ordered.

31 (3) After June 9, 1994, a party in whose favor a judgment has
32 been filed as a foreign judgment or rendered pursuant to subsection
33 (1) or (4) of this section, or the assignee or the current holder
34 thereof, may, within 90 days before the expiration of the original
35 10-year period, apply to the court that rendered the judgment or to
36 the court where the judgment was filed as a foreign judgment for an
37 order granting an additional 10 years during which an execution,
38 garnishment, or other legal process may be issued. If a district
39 court judgment of this state is transcribed to a superior court of

1 this state, the original district court judgment shall not be
2 extended and any petition under this section to extend the judgment
3 that has been transcribed to superior court shall be filed in the
4 superior court within 90 days before the expiration of the 10-year
5 period of the date the transcript of the district court judgment was
6 filed in the superior court of this state. The petitioner shall pay
7 to the court a filing fee equal to the filing fee for filing the
8 first or initial paper in a civil action in the court, except in the
9 case of district court judgments transcribed to superior court, where
10 the filing fee shall be the fee for filing the first or initial paper
11 in a civil action in the superior court where the judgment was
12 transcribed. The order granting the application shall contain an
13 updated judgment summary as provided in RCW 4.64.030. The filing fee
14 required under this subsection shall be included in the judgment
15 summary and shall be a recoverable cost. The application shall be
16 granted as a matter of right, subject to review only for timeliness,
17 factual issues of full or partial satisfaction, or errors in
18 calculating the judgment summary amounts.

19 (4) (a) A party who obtains a judgment or order for restitution
20 pursuant to a criminal judgment and sentence, or the assignee or the
21 current holder thereof, may execute, garnish, and/or have legal
22 process issued upon the judgment or order any time within 10 years
23 subsequent to the entry of the judgment and sentence or 10 years
24 following the offender's release from total confinement as provided
25 in chapter 9.94A RCW. The clerk of (~~the~~) the superior court, or a
26 party designated by the clerk, may seek extension under subsection
27 (3) of this section for purposes of collection as allowed under RCW
28 36.18.190, provided that no filing fee shall be required.

29 (b) A party who obtains a judgment or order for court-ordered
30 legal financial obligations other than restitution, pursuant to a
31 criminal judgment and sentence, or the assignee or the current holder
32 thereof, may execute, garnish, and have legal process issued upon the
33 judgment or order any time within 10 years subsequent to the entry of
34 the judgment and sentence or 10 years following the offender's
35 release from total confinement as provided in chapter 9.94A RCW. The
36 clerk of (~~the~~) the superior court, or a party designated by the
37 clerk, may seek extension under subsection (3) of this section for
38 purposes of collection as allowed under RCW 36.18.190, only if the
39 court finds that the offender has the current or likely future
40 ability to pay the nonrestitution legal financial obligations. A

1 person does not have the current ability to pay if the person is
2 indigent as defined in (~~RCW 10.01.160(3)~~) section 14 of this act.
3 No filing fee shall be required for filing a petition for an
4 extension pursuant to this subsection (4)(b).

5 (5) "Court" as used in this section includes but is not limited
6 to the United States supreme court, the United States courts of
7 appeals, the United States district courts, the United States
8 bankruptcy courts, the Washington state supreme court, the court of
9 appeals of the state of Washington, superior courts and district
10 courts of the counties of the state of Washington, and courts of
11 other states and jurisdictions from which judgment has been filed in
12 this state under chapter 6.36 or 6.40 RCW.

13 (6) The perfection of any judgment lien and the priority of that
14 judgment lien on property as established by RCW 6.13.090 and chapter
15 4.56 RCW is not altered by the extension of the judgment pursuant to
16 the provisions of this section and the lien remains in full force and
17 effect and does not have to be rerecorded after it is extended.
18 Continued perfection of a judgment that has been transcribed to other
19 counties and perfected in those counties may be accomplished after
20 extension of the judgment by filing with the clerk of the other
21 counties where the judgment has been filed either a certified copy of
22 the order extending the judgment or a certified copy of the docket of
23 the matter where the judgment was extended.

24 (7) Except as ordered in RCW 4.16.020 (2) or (3), chapter 9.94A
25 RCW, or chapter 13.40 RCW, no judgment is enforceable for a period
26 exceeding 20 years from the date of entry in the originating court.
27 Nothing in this section may be interpreted to extend the expiration
28 date of a foreign judgment beyond the expiration date under the laws
29 of the jurisdiction where the judgment originated.

30 (8) The chapter 261, Laws of 2002 amendments to this section
31 apply to all judgments currently in effect on June 13, 2002, to all
32 judgments extended after June 9, 1994, unless the judgment has been
33 satisfied, vacated, and/or quashed, and to all judgments filed or
34 rendered, or both, after June 13, 2002.

35 **Sec. 29.** RCW 7.68.035 and 2023 c 449 s 1 are each amended to
36 read as follows:

37 (1) Except as provided in subsection (4) of this section, when
38 any adult person is found guilty in any superior court of having
39 committed a crime, except as provided in subsection (2) of this

1 section, there shall be imposed by the court upon such convicted
2 person a penalty assessment. The assessment shall be in addition to
3 any other penalty or fine imposed by law and shall be five hundred
4 dollars for each case or cause of action that includes one or more
5 convictions of a felony or gross misdemeanor and two hundred fifty
6 dollars for any case or cause of action that includes convictions of
7 only one or more misdemeanors.

8 (2) The assessment imposed by subsection (1) of this section
9 shall not apply to motor vehicle crimes defined in Title 46 RCW
10 except those defined in the following sections: RCW 46.61.520,
11 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.61.502, 46.61.504,
12 46.52.101, 46.20.410, 46.52.020, 46.10.495, 46.09.480, 46.61.5249,
13 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010,
14 46.44.180, 46.10.490(2), and 46.09.470(2).

15 (3) Except as provided in subsection (4) of this section, when
16 any adult person accused of having committed a crime posts bail in
17 superior court pursuant to the provisions of chapter 10.19 RCW and
18 such bail is forfeited, there shall be deducted from the proceeds of
19 such forfeited bail a penalty assessment, in addition to any other
20 penalty or fine imposed by law, equal to the assessment which would
21 be applicable under subsection (1) of this section if the person had
22 been convicted of the crime.

23 (4) The court shall not impose the penalty assessment under this
24 section if the court finds that the defendant, at the time of
25 sentencing, is indigent as defined in (~~RCW 10.01.160(3)~~) section 14
26 of this act.

27 (5) Upon motion by a defendant, the court shall waive any crime
28 victim penalty assessment imposed prior to July 1, 2023, if:

29 (a) The person was a juvenile at the time the penalty assessment
30 was imposed; or

31 (b) The person does not have the ability to pay the penalty
32 assessment. A person does not have the ability to pay if the person
33 is indigent as defined in (~~RCW 10.01.160(3)~~) section 14 of this
34 act.

35 (6) Such penalty assessments shall be paid by the clerk of the
36 superior court to the county treasurer. Each county shall deposit one
37 hundred percent of the money it receives per case or cause of action
38 under subsection (1) of this section, not less than one and seventy-
39 five one-hundredths percent of the remaining money it retains under
40 RCW 10.82.070 and the money it retains under chapter 3.62 RCW, and

1 all money it receives under subsection (9) of this section into a
2 fund maintained exclusively for the support of comprehensive programs
3 to encourage and facilitate testimony by the victims of crimes and
4 witnesses to crimes. A program shall be considered "comprehensive"
5 only after approval of the department upon application by the county
6 prosecuting attorney. The department shall approve as comprehensive
7 only programs which:

8 (a) Provide comprehensive services to victims and witnesses of
9 all types of crime with particular emphasis on serious crimes against
10 persons and property. It is the intent of the legislature to make
11 funds available only to programs which do not restrict services to
12 victims or witnesses of a particular type or types of crime and that
13 such funds supplement, not supplant, existing local funding levels;

14 (b) Are administered by the county prosecuting attorney either
15 directly through the prosecuting attorney's office or by contract
16 between the county and agencies providing services to victims of
17 crime;

18 (c) Make a reasonable effort to inform the known victim or his or
19 her surviving dependents of the existence of this chapter and the
20 procedure for making application for benefits;

21 (d) Assist victims in the restitution and adjudication process;
22 and

23 (e) Assist victims of violent crimes in the preparation and
24 presentation of their claims to the department of labor and
25 industries under this chapter.

26 Before a program in any county west of the Cascade mountains is
27 submitted to the department for approval, it shall be submitted for
28 review and comment to each city within the county with a population
29 of more than one hundred fifty thousand. The department will consider
30 if the county's proposed comprehensive plan meets the needs of crime
31 victims in cases adjudicated in municipal, district or superior
32 courts and of crime victims located within the city and county.

33 (7) Upon submission to the department of a letter of intent to
34 adopt a comprehensive program, the prosecuting attorney shall retain
35 the money deposited by the county under subsection (6) of this
36 section until such time as the county prosecuting attorney has
37 obtained approval of a program from the department. Approval of the
38 comprehensive plan by the department must be obtained within one year
39 of the date of the letter of intent to adopt a comprehensive program.
40 The county prosecuting attorney shall not make any expenditures from

1 the money deposited under subsection (6) of this section until
2 approval of a comprehensive plan by the department. If a county
3 prosecuting attorney has failed to obtain approval of a program from
4 the department under subsection (6) of this section or failed to
5 obtain approval of a comprehensive program within one year after
6 submission of a letter of intent under this section, the county
7 treasurer shall monthly transmit one hundred percent of the money
8 deposited by the county under subsection (6) of this section to the
9 state treasurer for deposit in the state general fund.

10 (8) County prosecuting attorneys are responsible to make every
11 reasonable effort to insure that the penalty assessments of this
12 chapter are imposed and collected.

13 (9) Every city and town shall transmit monthly one and seventy-
14 five one-hundredths percent of all money, other than money received
15 for parking infractions, retained under RCW 3.50.100 and 35.20.220 to
16 the county treasurer for deposit as provided in subsection (6) of
17 this section.

18 **Sec. 30.** RCW 9.92.070 and 2022 c 260 s 21 are each amended to
19 read as follows:

20 Hereafter whenever any judge of any superior court or a district
21 or municipal judge shall sentence any person to pay any fines,
22 penalties, assessments, fees, and costs, the judge may, in the
23 judge's discretion, provide that such fines, penalties, assessments,
24 fees, and costs may be paid in certain designated installments, or
25 within certain designated period or periods. If the court finds that
26 the defendant is indigent as defined in (~~RCW 10.01.160(3)~~) section
27 14 of this act, the court shall allow for payment in certain
28 designated installments or within certain designated periods. If such
29 fines, penalties, assessments, fees, and costs shall be paid by the
30 defendant in accordance with such order no commitment or imprisonment
31 of the defendant shall be made for failure to pay such fine or costs.
32 PROVIDED, that the provisions of this section shall not apply to any
33 sentence given for the violation of any of the liquor laws of this
34 state.

35 **Sec. 31.** RCW 9.94A.6333 and 2023 c 449 s 8 are each amended to
36 read as follows:

37 (1) If an offender violates any condition or requirement of a
38 sentence, and the offender is not being supervised by the department,

1 the court may modify its order of judgment and sentence and impose
2 further punishment in accordance with this section.

3 (2) If an offender fails to comply with any of the nonfinancial
4 conditions or requirements of a sentence the following provisions
5 apply:

6 (a) The court, upon the motion of the state, or upon its own
7 motion, shall require the offender to show cause why the offender
8 should not be punished for the noncompliance. The court may issue a
9 summons or a warrant of arrest for the offender's appearance;

10 (b) The state has the burden of showing noncompliance by a
11 preponderance of the evidence;

12 (c) If the court finds that a violation has been proved, it may
13 impose the sanctions specified in RCW 9.94A.633(1). Alternatively,
14 the court may:

15 (i) Convert a term of partial confinement to total confinement;
16 or

17 (ii) Convert community restitution obligation to total or partial
18 confinement;

19 (d) If the court finds that the violation was not willful, the
20 court may modify its previous order regarding community restitution
21 obligations; and

22 (e) If the violation involves a failure to undergo or comply with
23 a mental health status evaluation and/or outpatient mental health
24 treatment, the court shall seek a recommendation from the treatment
25 provider or proposed treatment provider. Enforcement of orders
26 concerning outpatient mental health treatment must reflect the
27 availability of treatment and must pursue the least restrictive means
28 of promoting participation in treatment. If the offender's failure to
29 receive care essential for health and safety presents a risk of
30 serious physical harm or probable harmful consequences, the civil
31 detention and commitment procedures of chapter 71.05 RCW shall be
32 considered in preference to incarceration in a local or state
33 correctional facility.

34 (3) If an offender fails to pay legal financial obligations as a
35 requirement of a sentence the following provisions apply:

36 (a) The court, upon the motion of the state, or upon its own
37 motion, shall require the offender to show cause why the offender
38 should not be punished for the noncompliance. The court may issue a
39 summons or a warrant of arrest for the offender's appearance;

1 (b) The state has the burden of showing noncompliance by a
2 preponderance of the evidence;

3 (c) The court may not sanction the offender for failure to pay
4 legal financial obligations unless the court finds, after a hearing
5 and on the record, that the failure to pay is willful. A failure to
6 pay is willful if the offender has the current ability to pay but
7 refuses to do so. In determining whether the offender has the current
8 ability to pay, the court shall inquire into and consider: (i) The
9 offender's income and assets; (ii) the offender's basic living costs
10 as defined by RCW 10.101.010 and other liabilities including child
11 support and other legal financial obligations; and (iii) the
12 offender's bona fide efforts to acquire additional resources. An
13 offender who is indigent as defined in ((RCW 10.01.160(3))) section
14 14 of this act is presumed to lack the current ability to pay;

15 (d) If the court determines that the offender is homeless or a
16 person who is mentally ill, as defined in RCW 71.24.025, failure to
17 pay a legal financial obligation is not willful noncompliance and
18 shall not subject the offender to penalties;

19 (e) If the court finds that a failure to pay is willful
20 noncompliance, it may impose the sanctions specified in RCW
21 9.94A.633(1); and

22 (f) If the court finds that the violation was not willful, the
23 court may, and if the court finds that the defendant is indigent as
24 defined in ((RCW 10.01.160(3))) section 14 of this act, the court
25 shall modify the terms of payment of the legal financial obligations,
26 reduce or waive nonrestitution legal financial obligations, or
27 convert nonrestitution legal financial obligations to community
28 restitution hours, if the jurisdiction operates a community
29 restitution program, at the rate of no less than the state minimum
30 wage established in RCW 49.46.020 for each hour of community
31 restitution.

32 (4) Any time served in confinement awaiting a hearing on
33 noncompliance shall be credited against any confinement ordered by
34 the court.

35 (5) Nothing in this section prohibits the filing of escape
36 charges if appropriate.

37 **Sec. 32.** RCW 9.94B.040 and 2023 c 449 s 10 are each amended to
38 read as follows:

1 (1) If an offender violates any condition or requirement of a
2 sentence, the court may modify its order of judgment and sentence and
3 impose further punishment in accordance with this section.

4 (2) In cases where conditions from a second or later sentence of
5 community supervision begin prior to the term of the second or later
6 sentence, the court shall treat a violation of such conditions as a
7 violation of the sentence of community supervision currently being
8 served.

9 (3) If an offender fails to comply with any of the nonfinancial
10 requirements or conditions of a sentence the following provisions
11 apply:

12 (a)(i) Following the violation, if the offender and the
13 department make a stipulated agreement, the department may impose
14 sanctions such as work release, home detention with electronic
15 monitoring, work crew, community restitution, inpatient treatment,
16 daily reporting, curfew, educational or counseling sessions,
17 supervision enhanced through electronic monitoring, jail time, or
18 other sanctions available in the community.

19 (ii) Within 72 hours of signing the stipulated agreement, the
20 department shall submit a report to the court and the prosecuting
21 attorney outlining the violation or violations, and sanctions
22 imposed. Within 15 days of receipt of the report, if the court is not
23 satisfied with the sanctions, the court may schedule a hearing and
24 may modify the department's sanctions. If this occurs, the offender
25 may withdraw from the stipulated agreement.

26 (iii) If the offender fails to comply with the sanction
27 administratively imposed by the department, the court may take action
28 regarding the original noncompliance. Offender failure to comply with
29 the sanction administratively imposed by the department may be
30 considered an additional violation;

31 (b) In the absence of a stipulated agreement, or where the court
32 is not satisfied with the department's sanctions as provided in (a)
33 of this subsection, the court, upon the motion of the state, or upon
34 its own motion, shall require the offender to show cause why the
35 offender should not be punished for the noncompliance. The court may
36 issue a summons or a warrant of arrest for the offender's appearance;

37 (c) The state has the burden of showing noncompliance by a
38 preponderance of the evidence. If the court finds that the violation
39 has occurred, it may order the offender to be confined for a period
40 not to exceed 60 days for each violation, and may (i) convert a term

1 of partial confinement to total confinement, (ii) convert community
2 restitution obligation to total or partial confinement, or (iii)
3 order one or more of the penalties authorized in (a)(i) of this
4 subsection. Any time served in confinement awaiting a hearing on
5 noncompliance shall be credited against any confinement order by the
6 court;

7 (d) If the court finds that the violation was not willful, the
8 court may modify its previous order regarding community restitution
9 obligations; and

10 (e) If the violation involves a failure to undergo or comply with
11 mental status evaluation and/or outpatient mental health treatment,
12 the community corrections officer shall consult with the treatment
13 provider or proposed treatment provider. Enforcement of orders
14 concerning outpatient mental health treatment must reflect the
15 availability of treatment and must pursue the least restrictive means
16 of promoting participation in treatment. If the offender's failure to
17 receive care essential for health and safety presents a risk of
18 serious physical harm or probable harmful consequences, the civil
19 detention and commitment procedures of chapter 71.05 RCW shall be
20 considered in preference to incarceration in a local or state
21 correctional facility.

22 (4) If the violation involves failure to pay legal financial
23 obligations, the following provisions apply:

24 (a) The department and the offender may enter into a stipulated
25 agreement that the failure to pay was willful noncompliance,
26 according to the provisions and requirements of subsection (3)(a) of
27 this section;

28 (b) In the absence of a stipulated agreement, or where the court
29 is not satisfied with the department's sanctions as provided in a
30 stipulated agreement under (a) of this subsection, the court, upon
31 the motion of the state, or upon its own motion, shall require the
32 offender to show cause why the offender should not be punished for
33 the noncompliance. The court may issue a summons or a warrant of
34 arrest for the offender's appearance;

35 (c) The state has the burden of showing noncompliance by a
36 preponderance of the evidence. The court may not sanction the
37 offender for failure to pay legal financial obligations unless the
38 court finds, after a hearing and on the record, that the failure to
39 pay is willful. A failure to pay is willful if the offender has the
40 current ability to pay but refuses to do so. In determining whether

1 the offender has the current ability to pay, the court shall inquire
2 into and consider: (i) The offender's income and assets; (ii) the
3 offender's basic living costs as defined by RCW 10.101.010 and other
4 liabilities including child support and other legal financial
5 obligations; and (iii) the offender's bona fide efforts to acquire
6 additional resources. An offender who is indigent as defined in ((RCW
7 ~~10.01.160(3)~~)) section 14 of this act is presumed to lack the current
8 ability to pay;

9 (d) If the court determines that the offender is homeless or a
10 person who is mentally ill, as defined in RCW 71.24.025, failure to
11 pay a legal financial obligation is not willful noncompliance and
12 shall not subject the offender to penalties;

13 (e) If the court finds that the failure to pay is willful
14 noncompliance, the court may order the offender to be confined for a
15 period not to exceed 60 days for each violation or order one or more
16 of the penalties authorized in subsection (3)(a)(i) of this section;
17 and

18 (f) If the court finds that the violation was not willful, the
19 court may, and if the court finds that the defendant is indigent as
20 defined in ((RCW ~~10.01.160(3)~~)) section 14 of this act, the court
21 shall modify the terms of payment of the legal financial obligations,
22 reduce or waive nonrestitution legal financial obligations, or
23 convert nonrestitution legal financial obligations to community
24 restitution hours, if the jurisdiction operates a community
25 restitution program, at the rate of no less than the state minimum
26 wage established in RCW 49.46.020 for each hour of community
27 restitution.

28 (5) The community corrections officer may obtain information from
29 the offender's mental health treatment provider on the offender's
30 status with respect to evaluation, application for services,
31 registration for services, and compliance with the supervision plan,
32 without the offender's consent, as described under RCW 71.05.630.

33 (6) An offender under community placement or community
34 supervision who is civilly detained under chapter 71.05 RCW, and
35 subsequently discharged or conditionally released to the community,
36 shall be under the supervision of the department of corrections for
37 the duration of his or her period of community placement or community
38 supervision. During any period of inpatient mental health treatment
39 that falls within the period of community placement or community
40 supervision, the inpatient treatment provider and the supervising

1 community corrections officer shall notify each other about the
2 offender's discharge, release, and legal status, and shall share
3 other relevant information.

4 (7) Nothing in this section prohibits the filing of escape
5 charges if appropriate.

6 **Sec. 33.** RCW 10.01.090 and 2019 c 211 s 4 are each amended to
7 read as follows:

8 (1) An entity convicted of an offense may be ordered to pay legal
9 financial obligations, including restitution, crime victims'
10 assessments, costs, fines, penalties, and other assessments
11 authorized or required by law. Legal financial obligations imposed
12 upon an entity shall be entered and docketed by the clerk, or
13 district or municipal court as a judgment against the entity, and it
14 shall be of the same force and effect and be enforced against such
15 entity in the same manner as a judgment in a civil action.
16 Notwithstanding any other provisions pertaining to legal financial
17 obligations, all legal financial obligations imposed in a judgment
18 against an entity under this section bear interest from the date of
19 the judgment until payment at the rate applicable to civil judgments
20 under RCW 4.56.110. When an entity is ordered to pay restitution,
21 payments to the clerk must be distributed to restitution prior to all
22 other obligations.

23 (2) Except as otherwise provided under subsection (1) of this
24 section, payments on legal financial obligations must be collected
25 and distributed according to the requirements under RCW 3.50.100,
26 3.62.020, 3.62.040, 9.92.070, 9.94A.760, (~~(10.01.160,)~~) 10.01.170,
27 10.01.180, (~~(10.46.190, 10.64.015, 10.73.160, 10.82.090,)~~) 35.20.220,
28 and any other sections applicable to legal financial obligations
29 imposed as a result of a criminal conviction.

30 (3) For the purposes of this section, "entity" has the same
31 meaning as provided in RCW 9A.08.030.

32 **Sec. 34.** RCW 10.01.180 and 2023 c 449 s 12 are each amended to
33 read as follows:

34 (1) A defendant sentenced to pay any fine, penalty, assessment,
35 fee, or costs who willfully defaults in the payment thereof or of any
36 installment is in contempt of court as provided in chapter 7.21 RCW.
37 The court may issue a warrant of arrest for his or her appearance.

1 (2) When any fine, penalty, assessment, fee, or assessment of
2 costs is imposed on a corporation or unincorporated association, it
3 is the duty of the person authorized to make disbursement from the
4 assets of the corporation or association to pay the obligation from
5 those assets, and his or her failure to do so may be held to be
6 contempt.

7 (3)(a) The court shall not sanction a defendant for contempt
8 based on failure to pay fines, penalties, assessments, fees, or costs
9 unless the court finds, after a hearing and on the record, that the
10 failure to pay is willful. A failure to pay is willful if the
11 defendant has the current ability to pay but refuses to do so.

12 (b) In determining whether the defendant has the current ability
13 to pay, the court shall inquire into and consider: (i) The
14 defendant's income and assets; (ii) the defendant's basic living
15 costs as defined by RCW 10.101.010 and other liabilities including
16 child support and other legal financial obligations; and (iii) the
17 defendant's bona fide efforts to acquire additional resources. A
18 defendant who is indigent as defined in (~~RCW 10.01.160(3)~~) section
19 14 of this act is presumed to lack the current ability to pay.

20 (c) If the court determines that the defendant is homeless or a
21 person who is mentally ill, as defined in RCW 71.24.025, failure to
22 pay a legal financial obligation is not willful contempt and shall
23 not subject the defendant to penalties.

24 (4) If a term of imprisonment for contempt for nonpayment of any
25 fine, penalty, assessment, fee, or costs is ordered, the term of
26 imprisonment shall be set forth in the commitment order, and shall
27 not exceed one day for each \$25 of the amount ordered, 30 days if the
28 amount ordered of costs was imposed upon conviction of a violation or
29 misdemeanor, or one year in any other case, whichever is the shorter
30 period. A person committed for nonpayment of any fine, penalty,
31 assessment, fee, or costs shall be given credit toward payment for
32 each day of imprisonment at the rate specified in the commitment
33 order.

34 (5) If it appears to the satisfaction of the court that the
35 default in the payment of any fine, penalty, assessment, fee, or
36 costs is not willful contempt, the court may, and if the defendant is
37 indigent as defined in (~~RCW 10.01.160(3)~~) section 14 of this act,
38 the court shall enter an order: (a) Allowing the defendant additional
39 time for payment; (b) reducing the amount thereof or of each
40 installment; (c) revoking the fine, penalty, assessment, fee, or

1 costs or the unpaid portion thereof in whole or in part; or (d)
2 converting the unpaid fine, penalty, assessment, fee, or costs to
3 community restitution hours, if the jurisdiction operates a community
4 restitution program, at the rate of no less than the state minimum
5 wage established in RCW 49.46.020 for each hour of community
6 restitution.

7 (6) A default in the payment of any fine, penalty, assessment,
8 fee, or costs or any installment thereof may be collected by any
9 means authorized by law for the enforcement of a judgment. The levy
10 of execution for the collection of any fine, penalty, assessment,
11 fee, or costs shall not discharge a defendant committed to
12 imprisonment for contempt until the amount has actually been
13 collected.

14 **Sec. 35.** RCW 10.01.185 and 2022 c 260 s 8 are each amended to
15 read as follows:

16 A defendant who has been ordered to pay fines and who has not
17 willfully failed to pay the obligation, as described in RCW
18 9.94A.6333, 9.94B.040, and 10.01.180, may at any time petition the
19 sentencing court for remission of the payment of fines or of any
20 unpaid portion thereof. If it appears to the satisfaction of the
21 court that payment of the amount due will impose manifest hardship on
22 the defendant or the defendant's immediate family, the court may
23 remit all or part of the amount due in fines, modify the method of
24 payment under RCW 10.01.170, or convert the unpaid amounts to
25 community restitution hours, if the jurisdiction operates a community
26 restitution program, at the rate of no less than the state minimum
27 wage established in RCW 49.46.020 for each hour of community
28 restitution. Manifest hardship exists where the defendant is indigent
29 as defined in (~~(RCW 10.01.160(3))~~) section 14 of this act.

30 **Sec. 36.** RCW 43.79.505 and 2022 c 297 s 956 are each amended to
31 read as follows:

32 The judicial stabilization trust account is created within the
33 state treasury, subject to appropriation. All receipts from the
34 surcharges authorized by RCW 3.62.060(2), 12.40.020, 36.18.018(4),
35 and 36.18.020(~~(+5)~~) (6) shall be deposited in this account. Moneys
36 in the account may be spent only after appropriation.

37 Expenditures from the account may be used only for the support of
38 judicial branch agencies and, for the 2021-2023 fiscal biennium, for

1 expenditures to address state and local costs related to the *State v.*
2 *Blake* decision.

3 NEW SECTION. **Sec. 37.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 3.62.085 (Fee for conviction or plea of guilty) and 2022
6 c 260 s 16, 2018 c 269 s 16, & 2005 c 457 s 10;

7 (2) RCW 10.46.190 (Liability of convicted person for costs—Jury
8 fee) and 2022 c 260 s 20, 2018 c 269 s 9, 2005 c 457 s 12, 1977 ex.s.
9 c 248 s 1, 1977 ex.s. c 53 s 1, 1961 c 304 s 8, Code 1881 s 2105, &
10 1869 p 418 s 3;

11 (3) RCW 10.73.160 (Court fees and costs) and 2022 c 260 s 10,
12 2018 c 269 s 12, 2015 c 265 s 22, & 1995 c 275 s 3;

13 (4) RCW 10.82.090 (Interest on judgments—Disposition of
14 nonrestitution interest) and 2023 c 449 s 13, 2022 c 260 s 12, 2018 c
15 269 s 1, 2015 c 265 s 23, 2011 c 106 s 2, 2009 c 479 s 14, 2004 c 121
16 s 1, 1995 c 291 s 7, & 1989 c 276 s 3; and

17 (5) RCW 70.48.390 (Fee payable by person being booked) and 2003 c
18 99 s 1 & 1999 c 325 s 3.

19 NEW SECTION. **Sec. 38.** Sections 16 and 18 of this act expire
20 January 1, 2026.

21 NEW SECTION. **Sec. 39.** Sections 17 and 19 of this act take
22 effect January 1, 2026.

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