

SHB 1348 - S COMM AMD
By Committee on Judiciary

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

3 "Sec. 1. RCW 3.66.020 and 2003 c 27 s 1 are each amended to read
4 as follows:

5 If the value of the claim or the amount at issue does not exceed
6 fifty thousand dollars, exclusive of interest, costs, and attorneys'
7 fees, the district court shall have jurisdiction and cognizance of the
8 following civil actions and proceedings:

9 (1) Actions arising on contract for the recovery of money;

10 (2) Actions for damages for injuries to the person, or for taking
11 or detaining personal property, or for injuring personal property, or
12 for an injury to real property when no issue raised by the answer
13 involves the plaintiff's title to or possession of the same and actions
14 to recover the possession of personal property;

15 (3) Actions for a penalty;

16 (4) Actions upon a bond conditioned for the payment of money, when
17 the amount claimed does not exceed fifty thousand dollars, though the
18 penalty of the bond exceeds that sum, the judgment to be given for the
19 sum actually due, not exceeding the amount claimed in the complaint;

20 (5) Actions on an undertaking or surety bond taken by the court;

21 (6) Actions for damages for fraud in the sale, purchase, or
22 exchange of personal property;

23 (7) Proceedings to take and enter judgment on confession of a
24 defendant;

25 (8) Proceedings to issue writs of attachment, garnishment and
26 replevin upon goods, chattels, moneys, and effects;

27 ~~(9) ((All other actions and proceedings of which jurisdiction is~~
28 ~~specially conferred by statute, when the title to, or right of~~
29 ~~possession of real property is not involved; and~~

30 ~~(10))~~ Actions arising under the provisions of chapter 19.190 RCW;

1 (10) Proceedings to civilly enforce any money judgment entered in
2 any municipal court or municipal department of a district court
3 organized under the laws of this state; and

4 (11) All other actions and proceedings of which jurisdiction is
5 specially conferred by statute, when the title to, or right of
6 possession of, real property is not involved.

7 **Sec. 2.** RCW 3.66.040 and 2003 c 27 s 2 are each amended to read as
8 follows:

9 (1) An action arising under RCW 3.66.020 (1), (4), (6), (7), and
10 ~~((9))~~ (11) may be brought in any district in which the defendant, or,
11 if there be more than one defendant, where some one of the defendants,
12 resides at the time the complaint is filed or in which the defendant,
13 or if there be more than one defendant, where some one of the
14 defendants may be served with the notice and complaint in which latter
15 case, however, the district where the defendant or defendants is or are
16 served must be within the county in which the defendant or defendants
17 reside. If the residence of the defendant is not ascertained by
18 reasonable efforts, the action may be brought in the district in which
19 the defendant's place of actual physical employment is located.

20 (2) An action arising under RCW 3.66.020(2) for the recovery of
21 possession of personal property and RCW 3.66.020(8) shall be brought in
22 the district in which the subject matter of the action or some part
23 thereof is situated.

24 (3) An action arising under RCW 3.66.020 (3) and (5) shall be
25 brought in the district in which the cause of action, or some part
26 thereof arose.

27 (4) An action arising under RCW 3.66.020(2) for the recovery of
28 damages for injuries to the person or for injury to personal property
29 may be brought, at the plaintiff's option, either in the district in
30 which the cause of action, or some part thereof, arose, or in the
31 district in which the defendant, or, if there be more than one
32 defendant, where some one of the defendants, resides at the time the
33 complaint is filed.

34 (5) A proceeding under RCW 3.66.020(10) may be brought in the
35 district within which the municipal court or municipal department is
36 located.

1 (6) An action against a nonresident of this state, including an
2 action arising under the provisions of chapter 19.190 RCW, may be
3 brought in any district where service of process may be had, or in
4 which the cause of action or some part thereof arose, or in which the
5 plaintiff or one of them resides.

6 ~~((+6))~~ (7) An action upon the unlawful issuance of a check or
7 draft may be brought in any district in which the defendant resides or
8 may be brought in any district in which the check was issued or
9 presented as payment.

10 ~~((+7))~~ (8) For the purposes of chapters 3.30 through 3.74 RCW, the
11 residence of a corporation defendant shall be deemed to be in any
12 district where the corporation transacts business or has an office for
13 the transaction of business or transacted business at the time the
14 cause of action arose or where any person resides upon whom process may
15 be served upon the corporation, unless herein otherwise provided.

16 **Sec. 3.** RCW 3.62.060 and 2005 c 457 s 9 are each amended to read
17 as follows:

18 Clerks of the district courts shall collect the following fees for
19 their official services:

20 (1) In any civil action commenced before or transferred to a
21 district court, the plaintiff shall, at the time of such commencement
22 or transfer, pay to such court a filing fee of forty-three dollars plus
23 any surcharge authorized by RCW 7.75.035. Any party filing a
24 counterclaim, cross-claim, or third-party claim in such action shall
25 pay to the court a filing fee of forty-three dollars plus any surcharge
26 authorized by RCW 7.75.035. No party shall be compelled to pay to the
27 court any other fees or charges up to and including the rendition of
28 judgment in the action other than those listed.

29 (2) For issuing a writ of garnishment or other writ, or for filing
30 an attorney issued writ of garnishment, a fee of twelve dollars.

31 (3) For filing a supplemental proceeding a fee of twenty dollars.

32 (4) For demanding a jury in a civil case a fee of one hundred
33 twenty-five dollars to be paid by the person demanding a jury.

34 (5) For preparing a transcript of a judgment a fee of twenty
35 dollars.

36 (6) For certifying any document on file or of record in the clerk's
37 office a fee of five dollars.

1 (7) For preparing the record of a case for appeal to superior court
2 a fee of forty dollars including any costs of tape duplication as
3 governed by the rules of appeal for courts of limited jurisdiction
4 (RALJ).

5 (8) For duplication of part or all of the electronic recording of
6 a proceeding ten dollars per tape or other electronic storage medium.

7 (9) For filing any abstract of judgment or transcript of judgment
8 from a municipal court or municipal department of a district court
9 organized under the laws of this state a fee of forty-three dollars.

10 The fees or charges imposed under this section shall be allowed as
11 court costs whenever a judgment for costs is awarded.

12 **Sec. 4.** RCW 12.04.130 and Code 1881 s 1723 are each amended to
13 read as follows:

14 The court shall be deemed to have obtained possession of the case
15 from the time the complaint or claim is filed, after completion of
16 service, whether by publication or otherwise, and shall have control of
17 all subsequent proceedings. In the case of proceedings to civilly
18 enforce a money judgment entered in a municipal court or municipal
19 department of a district court organized under the laws of this state,
20 the court shall have jurisdiction over the proceedings from the time of
21 filing an abstract or transcript of judgment; upon which filing the
22 municipal judgment shall be recognized as a judgment of the court,
23 provided that the court shall not have authority to vacate or amend the
24 underlying municipal judgment."

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25 On page 1, line 1 of the title, after "judgments;" strike the
26 remainder of the title and insert "and amending RCW 3.66.020, 3.66.040,
27 3.62.060, and 12.04.130."

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