**RCW 63.30.690 Interest and penalties.** (1) A holder who fails to pay or deliver property when due is required to pay to the administrator interest at the rate as computed under RCW 82.32.050(1)(c) and set under RCW 82.32.050(2). However, the administrator must waive or cancel interest imposed under this subsection if:

(a) The administrator finds that the failure to pay or deliver the property within the time prescribed by this chapter was the result of circumstances beyond the holder's control sufficient for waiver or cancellation of interest under RCW 82.32.105;

(b) The failure to timely pay or deliver the property within the time prescribed by this chapter was the direct result of written instructions given to the holder by the administrator; or

(c) The extension of a due date for payment or delivery under an assessment issued by the administrator was not at the holder's request and was for the sole convenience of the administrator.

(2) If a holder fails to file any report or to pay or deliver any amounts or property when due under a report required under this chapter, there is assessed a penalty equal to 10 percent of the amount unpaid and the value of any property not delivered.

(3) If an examination results in an assessment for amounts unpaid or property not delivered, there is assessed a penalty equal to 10 percent of the amount unpaid and the value of any property not delivered.

(4) If a holder fails to pay or deliver to the administrator by the due date any amounts or property due under a determination issued by the administrator to the holder, there is assessed an additional penalty of five percent of the amount unpaid and the value of any property not delivered.

(5) If a holder makes a fraudulent report under this chapter, the administrator may require the holder to pay the administrator, in addition to interest under this section, a civil penalty of $1,000 for each day from the date the report was made until corrected, up to a cumulative maximum amount of $25,000, plus 25 percent of the amount or value of any property that should have been reported or was underreported.

(6) Penalties under subsections (2) through (4) of this section may be waived or canceled only if:

(a) The administrator finds that the failure to pay or deliver within the time prescribed by this chapter was the result of circumstances beyond the holder's control sufficient for waiver or cancellation of penalties under RCW 82.32.105; or

(b) The holder requests the waiver for a report required to be filed under RCW 63.30.220 and has timely filed as provided by RCW 63.30.240 all reports due under RCW 63.30.220 and paid or delivered all property associated with those reports for a period of 24 months immediately preceding the period covered by the report for which the waiver is being requested.

(7) If a holder willfully fails to file a report or to provide written notice to apparent owners as required under this chapter, the administrator may assess a civil penalty of $100 for each day the report is withheld or the notice is not sent, but not more than $5,000.

(8) If a holder, having filed a report, failed to file the report electronically as required by RCW 63.30.220, or failed to pay electronically any amounts due under the report as required by RCW 63.30.340, the administrator must assess a penalty equal to five

percent of the amount payable or deliverable under the report, unless the administrator grants the holder relief from the electronic filing and payment requirements. Total penalties assessed under this subsection may not exceed five percent of the amount payable and value of property deliverable under the report.

(9) If a holder enters into a contract or other arrangement for the purpose of evading an obligation under this chapter or otherwise willfully fails to perform a duty imposed on the holder under this chapter, the administrator may require the holder to pay the administrator, in addition to interest as provided in this section, a civil penalty of $1,000 for each day the obligation is evaded or the duty not performed, up to a cumulative maximum amount of $25,000, plus 25 percent of the amount or value of property that should have been but was not reported, paid, or delivered as a result of the evasion or failure to perform.

(10) The penalties imposed in this section are cumulative. [2025 c 29 s 21; 2023 c 258 s 9; 2022 c 225 s 1013.]

**Retroactive application—2025 c 29 ss 3-6, 14-17, and 20-23:** See note following RCW 63.30.010.