

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

NEW SECTION. Section 1. There is added to chapter 43.08 RCW a new section to read as follows:

The state treasurer is hereby authorized, in his discretion and as a service to state officers and employees, to accept in exchange for cash such checks drawn or endorsed by such state officers and employees and presented to his office as meet each of the following conditions:

(1) The check must be drawn to the order of cash or bearer and be immediately payable by a drawee bank located within the state of Washington;

(2) The amount of the check shall not exceed two hundred and fifty dollars; and

(3) The drawer presenting the check to the treasurer must produce such identification as the treasurer may require.

In the event that any check cashed by the state treasurer under this section is dishonored by the drawee bank when presented for payment, the treasurer is authorized, after notice to the drawer or endorser of the dishonor, to withhold from the drawer's or endorser's next state salary warrant the full amount of the dishonored check.

Passed the House January 29, 1971.

Passed the Senate February 11, 1971.

Approved by the Governor February 19, 1971.

Filed in Office of Secretary of State February 19, 1971.

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CHAPTER 6

[House Bill No. 92]

GARNISHMENT--

CODE CORRECTIONS

AN ACT Relating to garnishment; amending section 28, chapter 264, Laws of 1969 ex. sess. as amended by section 3, chapter 61, Laws of 1970 ex. sess. and RCW 7.33.280; and declaring an emergency.

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

Section 1. Section 28, chapter 264, Laws of 1969 ex. sess. as amended by section 3, chapter 61, Laws of 1970 ex. sess. and RCW 7.33.280 are each amended to read as follows:

If the garnishee is an employer owing the defendant wages, salary, or other compensation for personal services, then for each week of such wages, salary or other compensation, the following

amounts shall be exempt from garnishment: The greater of (1) forty times the state hourly minimum wage or (2) seventy-five percent of the disposable earnings of the defendant. Such exemption shall apply whether such earnings are paid, or to be paid, weekly, monthly, or at other intervals, and whether there be due the defendant earnings for one week, a portion thereof, or for a longer period. The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amount required by law to be withheld: PROVIDED, That amount deducted from an employee's compensation as contributions toward a participating pension or retirement program established pursuant to a collective bargaining agreement shall not be considered a part of disposable earnings. Unless directed otherwise by the court, the garnishee shall determine and deduct the amount exempt under this section and shall pay this amount to the defendant: PROVIDED FURTHER, That the foregoing exemptions shall not apply in the case of a garnishment for child support if (a) the garnishment is based on a judgment or other court order; (b) the amount stated on the writ does not exceed the amount of two months support payments; and (c) the following language is conspicuously added to the writ of garnishment: "This garnishment is based on a judgment or court order for child support. Hold all funds you owe the defendant up to the amount stated above without regard to any statutory exemption".

No money due or earned as earnings as defined in RCW 7.33.010(3) shall be exempt from garnishment under the provisions of RCW 6.16.020, as now or hereafter amended.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

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EXPLANATORY NOTE

The last paragraph of RCW 7.33.280 was omitted, but not indicated as deleted in the 1970 extraordinary session amendment (section 3, chapter 61, Laws of 1970 ex. sess.). The purpose of this bill is to correct the apparently inadvertent omission by restoring the omitted language.

Passed the House January 29, 1971.

Passed the Senate February 17, 1971.

Approved by the Governor February 26, 1971.

Filed in Office of Secretary of State February 27, 1971.