

CHAPTER 61.

[S. B. 123.]

RESIDENTIAL SCHOOLS—RESIDENTS' PERSONAL PROPERTY.

AN ACT relating to funds of residents of state residential schools; and amending section 72.33.180, chapter 28, Laws of 1959 and RCW 72.33.180.

Be it enacted by the Legislature of the State of Washington:

RCW 72.33.180 amended.

SECTION 1. Section 72.33.180, chapter 28, Laws of 1959 and RCW 72.33.180 are each amended to read as follows:

Personal property of resident—Superintendent as custodian—Limitations—Judicial proceedings to recover.

The superintendent of a state school shall serve as custodian without compensation of such personal property of a resident as may be located at the school, including moneys deposited with the superintendent for the benefit of such resident. As such custodian, the superintendent shall have authority to disburse moneys from the resident's fund for the following purposes and subject to the following limitations:

(1) Subject to specific instructions by a donor or payor of money to the superintendent for the benefit of a resident, the superintendent may disburse any of the funds belonging to a resident for such personal needs of such resident as the superintendent may deem proper and necessary.

(2) When a resident is granted placement, the superintendent shall deliver to said resident, or the parent, guardian or agency legally responsible for the resident, all or such portion of the funds of which the superintendent is custodian as above defined, or other property belonging to the resident, as the superintendent may deem necessary to the resident's welfare, and the superintendent may during such placement deliver to the former resident such additional property or funds belonging to the resident as the superintendent may from time to time deem proper. When the conditions of placement have been

fully satisfied and the resident is discharged, the superintendent shall deliver to such resident, or the parent, person or agency legally responsible for the resident, all funds or other property belonging to the resident remaining in his possession as custodian.

(3) All funds held by the superintendent as custodian may be deposited in a single fund, the receipts and expenditures therefrom to be accurately accounted for by him: *Provided*, That all interest accruing from, or as a result of the deposit of such moneys in a single fund shall be used by the superintendent for the general welfare of all the residents of such institution: *Provided, further*, That when the personal accounts of patients exceed three hundred dollars, the interest accruing therefrom shall be credited to the personal accounts of such patients. All such expenditures shall be subject to the duty of accounting provided for in this section.

(4) The appointment of a guardian for the estate of such resident shall terminate the superintendent's authority as custodian of a resident's funds upon receipt by the superintendent of a certified copy of letters of guardianship. Upon the guardian's request, the superintendent shall immediately forward to such guardian any funds or other property of the resident remaining in the superintendent's possession together with a full and final accounting of all receipts and expenditures made therefrom.

(5) Upon receipt of a written request from the superintendent stating that a designated individual is a resident of the state school for which he has administrative responsibility and that such resident has no legally appointed guardian of his estate, any person, bank, corporation, or agency having possession of any money, bank accounts, or choses in action owned by such resident, shall, if the amount does not exceed one thousand dollars, deliver the same to the superintendent as custodian and mail

written notice thereof to such resident at the state school. The receipt of the superintendent shall constitute full and complete acquittance for such payment and the person, bank, corporation, or agency making such payment shall not be liable to the resident or his legal representatives. All funds so received by the superintendent shall be duly deposited by him as custodian in the resident's fund to the personal account of such resident.

If any proceeding is brought in any court to recover property so delivered, the attorney general shall defend the same without cost to the person, bank, corporation, or agency effecting such delivery to the superintendent, and the state shall indemnify such person, bank, corporation, or agency against any judgment rendered as a result of such proceeding.

Passed the Senate February 27, 1959.

Passed the House February 26, 1959.

Approved by the Governor March 3, 1959.

CHAPTER 62.

[S. B. 256.]

COURT COSTS IN ACTIONS BY AND AGAINST STATE OR COUNTY.

AN ACT relating to civil procedure; authorizing court costs; and amending section 522, Code of 1881 and RCW 4.84.170.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 522, Code of 1881 and RCW 4.84.170 are each amended to read as follows:

In all actions prosecuted in the name and for the use of the state, or in the name and for the use of any county, and in any action brought against the state or any county, and on all appeals to the supreme

RCW 4.84.170
amended.

Cost against
state or
county.