JAY INSLEE
Governor

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PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05

20-49
Garnishments and Accrual of Interest

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06 through 20-48 exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to broadly spread throughout Washington State; and

WHEREAS, the COVID-19 pandemic is causing a sustained global economic slowdown, and an economic downturn throughout Washington State with unprecedented numbers of layoffs and reduced work hours for a significant percentage of our workforce due to substantial reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

WHEREAS, many of our workforce who have been impacted by these layoffs and substantially reduced work hours are suffering economic hardship that disproportionately affects low and moderate income workers resulting in lost wages that reduces their ability to pay for basic household expenses, including groceries and rent; and

WHEREAS, garnishment of wages or other income, including CARES Act stimulus payments, to collect judgments for consumer debt, as authorized under RCW 6.27, and the mounting interest on that debt, as authorized under RCW 4.56.110(1) and (5), will further reduce the ability of people impacted by the economic downturn to pay for basic household expenses, thereby increasing life, health and safety risks to a significant percentage of our people from the COVID-19 pandemic; and

WHEREAS, judgment creditors, directly or through others acting on their behalf, may initiate and pursue garnishment of wages and other income to collect judgments for consumer debt pursuant to RCW 6.27, and RCW 6.01.060(2) defines "consumer debt" as: "[A]ny obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money,

property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes. Consumer debt includes medical debt"; and

WHEREAS, a temporary moratorium on garnishments of wages and other income to collect judgments for consumer debt throughout Washington State at this time will help reduce economic hardship and related life, health, and safety risks to those members of our workforce impacted by layoffs and substantially reduced work hours or who are otherwise unable to pay for basic household expenses as a result of the COVID-19 pandemic; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continues to threaten the life and health of our people as well as the economy of Washington State, and remains a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the COVID-19 emergency; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Washington State Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a state of emergency continues to exist in all counties of Washington State, that Proclamations 20-05 and all amendments thereto remain in effect, and that Proclamation 20-05 is amended to temporarily prohibit certain garnishments statewide until 11:59 PM on May 14, 2020, as provided herein.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout State government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Washington State Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(2)(g), I also find that allowing garnishments to collect judgments for consumer debt and accrual of post-judgment interest on such judgments and that strict compliance with the following statutory provisions would risk the life, health and safety of people who are impacted by the economic downturn throughout Washington State and are unable to pay for basic household needs, and would

prevent, hinder, or delay the response to the COVID-19 pandemic State of Emergency under Proclamation 20-05 and therefore, the following statutory provisions specified below are hereby waived and suspended in their entirety, until 11:59 PM on May 14, 2020:

1. RCW 6.27.020(1) and (2)
2. RCW 6.27.060
3. RCW 6.27.070(1)
4. RCW 6.27.080(2) and (3)
5. RCW 6.27.110(1) and (2)
6. RCW 6.27.120(1)
7. RCW 6.27.130(1) and (3)
8. RCW 4.56.110(1) and (5)

FURTHERMORE, based on the above noted situation and under the provisions of RCW 43.06.220(1)(h), and to help preserve and maintain life, health, property or the public peace, effective immediately and until 11:59 PM on May 14, 2020, I hereby prohibit the waivers and suspensions listed above from being applied to any judgment creditor, directly or through others acting on their behalf, except for the garnishment of wages and other income to collect judgments for consumer debt as defined in RCW 6.01.060(2), and for the accrual of post-judgment interest on judgments for consumer debt.

Violators of this of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 14th day of April, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State