STATE OF WASHINGTON
OFFICE OF GOVERNOR JAY INSLEE

PROCLAMATION BY THE GOVERNOR
AMENDING AND EXTENDING
PROCLAMATIONS 20-05 and 20-49, et seq.

20-49.12
Garnishments

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington 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 several amendatory proclamations, 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 number of cases of COVID-19 in Washington State and the associated deaths continue to increase, demonstrating the ongoing, present, and persistent threat of this lethal disease; and

WHEREAS, the COVID-19 pandemic continues to cause 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, to prevent or 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, I issued Proclamation 20-49, to temporarily waive and suspend statutes and regulations related to the collection of judgments for consumer debt; and

WHEREAS, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-49, et seq., have been periodically extended by the leadership of the

Washington State Senate and House of and which I acknowledged and similarly extended the prohibitions therein in subsequent sequentially numbered proclamations; and

WHEREAS, on December 7, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-49, et seq., were extended as to the garnishment of bank accounts only by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first; and

WHEREAS, I subsequently issued Proclamation 20-49.11 amending Proclamations 20-49, et seq., to (1) recognize the extension of statutory waivers and suspensions therein by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first, and (2) similarly extend the prohibitions therein until termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first; and

WHEREAS, the federal government has issued additional federal COVID-19 stimulus payments under legislation that was not addressed in Proclamations 20-49, et seq.; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State and remain 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 Proclamation 20-05 and all amendments thereto remain in effect as otherwise amended, and that Proclamations 20-49, et seq., are amended to address federal stimulus payments issued specifically in response to the ongoing COVID-19 pandemic. This proclamation shall remain in effect until termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first.

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, except as otherwise prohibited or limited by state or federal law, the statutory waivers and suspensions of Proclamations 20-49, et seq., which operate to prohibit garnishments for consumer debt in certain circumstances, (a) are not applicable to bank account funds other than federal stimulus payments issued in response to the COVID-19 pandemic and state and federal unemployment payments; and (b) are not applicable to garnishments for continuing liens on earnings (wages), and have not been applicable to garnishments for continuing liens on earning since May 27, 2020.

ADDITIONALLY, whereas state law provides specific exemptions from execution, attachment and garnishment for certain personal property, including an exemption of $2,000 in bank accounts from consumer debt garnishment, nothing in this proclamation may be construed to limit a consumer's right to claim those exemptions or to challenge any garnishment proceeding.

Violators 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 4th day of January, A.D., Two Thousand and Twenty-One at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State