Florida Senate - 2010 Bill No. CS/SB 492, 1st Eng.



LEGISLATIVE ACTION

Senate		House
	•	
Floor: WD/3R		
04/16/2010 10:11 AM	•	

Senator Bennett moved the following:

Senate Amendment (with title amendment)

Delete lines 31 - 57

4 and insert:

1 2 3

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unless such person has agreed otherwise in writing.

(c) The agreement to waive the protection provided by this paragraph must:

1. Be written in the same language as the contract or agreement to which the waiver relates;

102. Be contained in a separate document attached to the11contract or agreement; and

12 <u>3. Be in substantially the following form in at least 14-</u>
13 point type:

SENATOR AMENDMENT

Florida Senate - 2010 Bill No. CS/SB 492, 1st Eng.

817300

15 IF YOU PROVIDE MORE THAN ONE-HALF OF THE SUPPORT FOR A 16 CHILD OR OTHER DEPENDENT, ALL OR PART OF YOUR INCOME 17 IS EXEMPT FROM GARNISHMENT UNDER FLORIDA LAW. YOU CAN 18 WAIVE THIS PROTECTION ONLY BY SIGNING THIS DOCUMENT. 19 BY SIGNING BELOW, YOU AGREE TO WAIVE THE PROTECTION 20 FROM GARNISHMENT. 21 (Consumer's Signature) (Date Signed) 23 I have fully explained this document to the consumer. 24 I have fully explained this document to the consumer. 25 (Creditor's Signature) (Date Signed) 26 (Creditor's Signature) (Date Signed) 27 (Creditor's Signature) (Date Signed) 28 In no event shall The amount attached or garnished may not 29 exceed the amount allowed under the Consumer Credit Protection 30 Act, 15 U.S.C. s. 1673. 31 (d) A personal guarantee for the debt of a business entit; 32 is exempt from the requirements of paragraph (c) 33 (e) (e) Disposable earnings of a person other than a head 34 35 amended as follows:			
17 IS EXEMPT FROM GARNISHMENT UNDER FLORIDA LAW. YOU CAN 18 WAIVE THIS PROTECTION ONLY BY SIGNING THIS DOCUMENT. 19 BY SIGNING BELOW, YOU AGREE TO WAIVE THE PROTECTION 20 FROM GARNISHMENT. 21 (Consumer's Signature) (Date Signed) 23 I have fully explained this document to the consumer. 24 I have fully explained this document to the consumer. 25 (Creditor's Signature) (Date Signed) 27 In no event shall The amount attached or garnished may not 29 exceed the amount allowed under the Consumer Credit Protection 30 A personal guarantee for the debt of a business entity 31 (d) A personal guarantee for the debt of a business entity 32 is exempt from the requirements of paragraph (c). 33 (e) (e) Disposable earnings of a person other than a head of 34 ========= T I T L E A M E N D M E N T ==========	HALF OF THE SUPPORT FOR A		
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34 35 ====================================	32 is exempt from the requirements of paragraph (c).		
35 ========== T I T L E A M E N D M E N T =============			
36 And the title is amended as follows:	N D M E N T ===========		
	5:		
37 Delete line 6			
38 and insert:			
39 exemption from garnishment; exempting a personal			
40 guarantee for the debt of a business entity from	usiness entity from		
41 requirements generally governing the form of waivers	-		
42 of an exemption of wages from garnishment; amending s.	garnishment; amending s.		

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77.041, F.S.;