



817300

LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

04/16/2010 10:11 AM

Senator Bennett moved the following:

Senate Amendment (with title amendment)

Delete lines 31 - 57

and insert:

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;

2. Be contained in a separate document attached to the contract or agreement; and

3. Be in substantially the following form in at least 14-point type:



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IF YOU PROVIDE MORE THAN ONE-HALF OF THE SUPPORT FOR A CHILD OR OTHER DEPENDENT, ALL OR PART OF YOUR INCOME IS EXEMPT FROM GARNISHMENT UNDER FLORIDA LAW. YOU CAN WAIVE THIS PROTECTION ONLY BY SIGNING THIS DOCUMENT. BY SIGNING BELOW, YOU AGREE TO WAIVE THE PROTECTION FROM GARNISHMENT.

...(Consumer's Signature)... ...(Date Signed)...

I have fully explained this document to the consumer.

...(Creditor's Signature)... ...(Date Signed)...

~~In no event shall~~ The amount attached or garnished may not exceed the amount allowed under the Consumer Credit Protection Act, 15 U.S.C. s. 1673.

(d) A personal guarantee for the debt of a business entity is exempt from the requirements of paragraph (c).

(e)~~(e)~~ Disposable earnings of a person other than a head of

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 6

and insert:

exemption from garnishment; exempting a personal guarantee for the debt of a business entity from requirements generally governing the form of waivers of an exemption of wages from garnishment; amending s.



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77.041, F.S.;