

CS/SB 492 — Garnishment

by the Commerce Committee and Senator Smith

The bill increases, from \$500 to \$750 per week, the amount of disposable earnings of a head of family that is exempt from attachment or garnishment.

For a head of family earning greater than \$750 per week, the individual's wages are exempt from garnishment unless the protection is waived in writing. The bill provides requirements for the agreement, including that the writing:

- Be in the same language as the contract or agreement to which the waiver relates;
- Be contained in a separate document attached to the contract or agreement; and
- Be written in a form substantially similar and in 14-point font to a notice provided in the subsection. The notice informs the individual of the availability of the exemption and the effect of the agreement to waive such protection.

If approved by the Governor, these provisions take effect October 1, 2010.

Vote: Senate 38-0; House 118-1