HOUSE BILL 673

I3, D3

8lr3329 CF SB 22

By: **Delegates Barron and C. Howard** Introduced and read first time: January 31, 2018 Assigned to: Judiciary and Economic Matters

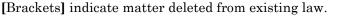
A BILL ENTITLED

1 AN ACT concerning

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- FOR the purpose of altering the amount of wages of a judgment debtor that are exempt
 from attachment; making a conforming change; making a stylistic change; providing
 for the application of this Act; and generally relating to debt collection and
 exemptions from an attachment of wages.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Commercial Law
- 9 Section 15–601.1
- 10 Annotated Code of Maryland
- 11 (2013 Replacement Volume and 2017 Supplement)
- 12 BY repealing and reenacting, with amendments,
- 13 Article Courts and Judicial Proceedings
- 14 Section 11–504(a) and (b)(7)
- 15 Annotated Code of Maryland
- 16 (2013 Replacement Volume and 2017 Supplement)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:
- 19 Article Commercial Law
- 20 15-601.1.
- (a) In this section, "disposable wages" means the part of wages that remain afterdeduction of any amount required to be withheld by law.
- 23 (b) The following are exempt from attachment:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.





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1	(1) [Except as provided in item (2) of this subsection, the] THE greater of:
$2 \\ 3$	[(i) The product of \$145 multiplied by the number of weeks in which the wages due were earned; or
4	(ii) 75 percent of the disposable wages due;
$5 \\ 6$	(2) In Caroline, Kent, Queen Anne's, and Worcester counties, for each workweek, the greater of:]
7	(i) 75 percent of the disposable wages due; or
8 9	(ii) [30] 80 times the [federal] STATE minimum hourly wages under the Fair Labor Standards Act in effect at the time the wages are due; and
10 11	[(3)] (2) Any medical insurance payment deducted from an employee's wages by the employer.
12	(c) The amount subject to attachment shall be calculated per pay period.
13	Article – Courts and Judicial Proceedings
14	11–504.
15	(a) [(1)] In this section, [the following terms have the meanings indicated.
16 17 18	(2) "Value"] "VALUE" means fair market value as of the date upon which the execution or other judicial process becomes effective against the property of the debtor, or the date of filing the petition under the federal Bankruptcy Code.
19	(b) The following items are exempt from execution on a judgment:
$20 \\ 21 \\ 22$	(7) Money payable or paid in accordance with an agreement or court order for alimony to the same extent that wages are exempt from attachment under § [15–601.1(b)(1)(ii) or (2)(i)] 15–601.1(B)(1)(I) of the Commercial Law Article.
23 24 25 26	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any writ of garnishment or writ of execution issued before the effective date of this Act.
$27 \\ 28$	SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018

28 October 1, 2018.