
By: **Delegates K. Kelly and Vallario**
Introduced and read first time: February 4, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Attachment of Wages - Statement of Payments**

3 FOR the purpose of repealing a requirement that a judgment creditor file monthly
4 with the clerk of the court a certain statement of payments received during the
5 pendency of an attachment of wages; and generally relating to an attachment of
6 wages.

7 BY repealing and reenacting, with amendments,
8 Article - Commercial Law
9 Section 15-605
10 Annotated Code of Maryland
11 (1990 Replacement Volume and 1998 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Commercial Law**

15 15-605.

16 (a) Within 15 days after the end of each month, the judgment creditor shall
17 furnish the employer/garnishee[,] AND THE judgment debtor[, and clerk of the court]
18 a written statement showing all payments that were credited to the account of the
19 judgment debtor during that month. However, this subsection shall not apply if no
20 payments were received by the judgment creditor during that month.

21 (b) The judgment creditor shall within 15 days after the satisfaction of the
22 judgment, interest, and costs notify in writing the employer/garnishee and the clerk
23 of the court of the satisfaction.

24 (c) All payments received by a judgment creditor shall be credited first
25 against the accrued interest on the unpaid balance of the judgment, if any, second
26 upon the principal amount of the judgment, and third upon those attorney's fees and
27 costs actually assessed in the cause.

1 (d) If the judgment creditor fails to comply with the obligations imposed by
2 this section, then the court may set aside the attachment and order the judgment
3 creditor to pay reasonable attorney's fees and costs of the party seeking to set aside
4 the attachment.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1999.