

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 408

(First Reading File Bill)

AMENDMENT NO. 1

At the top of page 1, insert "EMERGENCY BILL"; strike beginning with "requiring" in line 5 down through "coverage;" in line 12 and substitute "making certain conforming changes;"; in the same line, after "changes;" insert "making this Act an emergency measure;"; and in line 16, strike "10-124, and 12-102(d)(1)" and substitute "10-128(a), and 10-129(a)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 9 on page 4, inclusive, and substitute:

"10-128.

(a) An earnings withholding order or an earnings withholding notice sent to the obligor's employer shall:

(1) be a separate document, and not include any other orders or pleadings; and

(2) include only the following information:

(i) the amount to be withheld from the obligor's earnings including explanation of the application of the federal Consumer Credit Protection Act limits;

(ii) that subject to further orders of the tribunal, the employer is required to withhold the stated amount on a regular and continuing basis commencing on the beginning of the next pay period after receipt of the earnings withholding order or the earnings withholding notice;

(iii) that the employer may deduct and retain from the employee's earnings

(Over)

an additional \$2 for each deduction made under the earnings withholding order or earnings withholding notice;

(iv) that the net amount withheld is to be sent promptly to the State disbursement unit [or the recipient as specified in the order]; and

(v) any other information that the employer needs to comply with the earnings withholding order or earnings withholding notice.

10-129.

(a) On receipt of a copy of an earnings withholding order or earnings withholding notice an employer shall, beginning with the next pay period after receipt of the earnings withholding order or earnings withholding notice:

(1) deduct the amount of the withholding from the obligor's earnings on a regular basis; and

(2) send the deducted net amount directly to the State disbursement unit [or the recipient, as specified in the earnings withholding order or earnings withholding notice,] within 7 days not including Saturday, Sunday, or a legal holiday after the day on which the earnings are paid to the obligor.”.

AMENDMENT NO. 3

On page 4, strike beginning with “shall” in line 10 down through “2003” in line 11 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.