

SENATE BILL 31

I4

5lr1474

(PRE-FILED)

By: **Senator Ellis**

Requested: October 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Attachment of Wages – Exemptions**
3 **(Exempt Income Protection Act)**

4 FOR the purpose of altering the amount of wages of a judgment debtor that are exempt
5 from attachment; requiring an employer served with an attachment to make certain
6 notifications to a judgment debtor; and generally relating to exemptions from
7 attachment.

8 BY repealing and reenacting, with amendments,
9 Article – Commercial Law
10 Section 15–601.1 and 15–603
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2024 Supplement)

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

15 **Article – Commercial Law**

16 15–601.1.

17 (a) In this section, “disposable wages” means the part of wages that remain after
18 deduction of any amount required to be withheld by law.

19 (b) The following are exempt from attachment:

20 (1) The greater of:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) [75 percent] **75%** of the disposable wages **AND SOCIAL**
2 **SECURITY, DISABILITY, OR UNEMPLOYMENT BENEFITS** due; or

3 (ii) [30 times the State minimum hourly wage in effect at the time
4 the wages are due,] **150% OF THE FEDERAL POVERTY LEVEL FOR WEEKLY INCOME AS**
5 **DETERMINED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A**
6 **HOUSEHOLD OF THE JUDGMENT DEBTOR'S SIZE** multiplied by the number of weeks
7 during which the wages due were earned; and

8 (2) Any medical insurance payment deducted from an employee's wages by
9 the employer.

10 (c) The amount subject to attachment shall be calculated per pay period
11 15-603.

12 (a) While the attachment remains a lien, the employer/garnishee shall withhold
13 all attachable wages payable to the judgment debtor and remit the amount withheld to the
14 judgment creditor or his legal representative within 15 days after the close of the last pay
15 period in each month.

16 (b) If the employer/garnishee is served with more than one attachment against
17 the same judgment debtor, then the attachments shall be satisfied in the order in which
18 they were served, and each prior attachment must be satisfied before any effect can be
19 given to a subsequent attachment.

20 (C) **WHEN AN EMPLOYER/GARNISHEE IS SERVED WITH AN ATTACHMENT,**
21 **THE EMPLOYER/GARNISHEE SHALL NOTIFY THE JUDGMENT DEBTOR IN WRITING OF:**

22 (1) **THE AMOUNT OF WAGES EXEMPT FROM ATTACHMENT UNDER §**
23 **15-601.1 OF THIS SUBTITLE;**

24 (2) **THE METHOD USED TO CALCULATE THE AMOUNT OF ATTACHABLE**
25 **WAGES; AND**

26 (3) **THE PROCEDURE BY WHICH THE JUDGMENT DEBTOR MAY**
27 **CONTEST THE ATTACHMENT UNDER MARYLAND RULE 3-646.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2025.