

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1880

By: Treat

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5
6 AS INTRODUCED

7 An Act relating to garnishment; amending 12 O.S.
8 2011, Section 1171, which relates to right to
9 garnishment; prohibiting garnishment of certain
wages; providing exceptions; and providing an
effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 12 O.S. 2011, Section 1171, is
14 amended to read as follows:

15 Section 1171. A. ~~Any creditor shall be entitled to proceed by~~
16 ~~garnishment in any court having jurisdiction against any person who~~
17 ~~shall be indebted to the creditor's debtor or has any property in~~
18 ~~his possession or under his control belonging to such creditor's~~
19 ~~debtor, in the cases, upon the conditions, and in the manner~~
20 ~~described by law~~ No wages shall be subject to garnishment, except
21 for the enforcement of court-ordered child support payments or
22 spousal maintenance, state or federal taxes, federal student loans,
23 or any other debt as required by federal law.
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1 B. Subject to the limitations and exceptions otherwise provided
2 by law, there shall be two classes of garnishments:

3 1. Prejudgment garnishments, which shall consist only of
4 general garnishments pursuant to Section 1173.3 of this title; and

5 2. Postjudgment garnishments, which shall consist of the
6 following types of garnishments:

7 a. Income assignment for child support pursuant to the
8 provisions of Section 1171.2 of this title;

9 b. Noncontinuing earnings garnishment pursuant to Section
10 1173 of this title;

11 c. Garnishment for collection of child support pursuant
12 to Section 1173.2 of this title;

13 d. General garnishment pursuant to Section 1173.3 of this
14 title; and

15 e. Continuing earnings garnishment pursuant to Section
16 1173.4 of this title.

17 SECTION 2. This act shall become effective November 1, 2012.

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