

1 **SENATE FLOOR VERSION**

2 February 19, 2013

3 **AS AMENDED**

4 SENATE BILL NO. 927

By: Treat of the Senate

and

Newell of the House

8 An Act relating to garnishment; amending 12 O.S.
9 2011, Section 1171, which relates to right to
10 garnishment; prohibiting certain employer liability;
11 and providing an effective date.

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.

21 B. Subject to the limitations and exceptions otherwise provided
22 by law, there shall be two classes of garnishments:

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

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

- 3 a. Income assignment for child support pursuant to the
4 provisions of Section 1171.2 of this title;
- 5 b. Noncontinuing earnings garnishment pursuant to Section
6 1173 of this title;
- 7 c. Garnishment for collection of child support pursuant
8 to Section 1173.2 of this title;
- 9 d. General garnishment pursuant to Section 1173.3 of this
10 title; and
- 11 e. Continuing earnings garnishment pursuant to Section
12 1173.4 of this title.

13 C. In no event shall an employer required to garnish wages,
14 earnings or other income of an employee pursuant to an order
15 described in subsection B of this section be liable for any debt or
16 obligation of the employee.

17 SECTION 2. This act shall become effective November 1, 2013.

18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
19 February 19, 2013 - DO PASS AS AMENDED
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