

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Dietz**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-110-415 TO ALLOW AN
9 EMPLOYER GARNISHEE A FEE FOR SERVICES; AND FOR OTHER
10 PURPOSES."

Subtitle

14 "AN ACT TO ALLOW AN EMPLOYER GARNISHEE A FEE FOR
15 SERVICES."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code 16-110-415 is amended to read as follows:

20 "16-110-415. Garnishment of wages.

21 (a) Upon the garnishment of salaries, wages, or other compensation due
22 from the employer garnishee, the employer garnishee shall hold, to the extent
23 of the amount due upon the judgment and costs, subject to the order of the
24 court, any nonexempt wages due or which subsequently become due. The judgment
25 or balance due thereon is a lien on salaries, wages, or other compensation due
26 at the time of the service of the execution, or as set out in subsection (b).

27 (b) The lien provided for in subsection (a) of this section shall
28 continue as to subsequent earnings until the total amount due upon the
29 judgment and costs is paid or satisfied, or until the expiration of the
30 employer's payroll period immediately prior to three (3) calendar months after
31 service of the execution, whichever occurs first. The lien on subsequent
32 earnings shall terminate sooner if the employment relationship is terminated
33 or if the underlying judgment is vacated or modified.

34 (c) The court shall allow, as a cost, a fee of two dollars (\$2.00) per
35 payroll period. The fee shall be retained by the employer garnishee as a fee

1 for services."

2

3 SECTION 2. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

6

7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

12

13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1

2