

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1732

5 By: Representative Womack
6 By: Senator B. Ballinger
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING GARNISHMENT
10 AGAINST THE STATE OR A SUBDIVISION OF THE STATE; TO
11 ALLOW FOR INCOME TAX REFUNDS TO BE SUBJECT TO
12 GARNISHMENT BY JUDGMENT CREDITORS; AND FOR OTHER
13 PURPOSES.
14
15

Subtitle

16 TO AMEND THE LAW CONCERNING GARNISHMENT
17 AGAINST THE STATE OR A SUBDIVISION OF THE
18 STATE; AND TO ALLOW FOR INCOME TAX
19 REFUNDS TO BE SUBJECT TO GARNISHMENT BY
20 JUDGMENT CREDITORS.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 16-110-413(a), concerning garnishment
27 against the state or a subdivision of the state after judgment, is amended to
28 read as follows:

29 (a)(1) Any indebtedness, goods and chattels, moneys, credits, or
30 effects, ~~except for refunds for overpayment of Arkansas state income tax~~
31 belonging to a defendant in a civil action and in the hands or possession of
32 the State of Arkansas, or any subdivision ~~thereof~~ of the state, institution,
33 department, or special district or instrumentality of the State of Arkansas,
34 shall be subject to garnishment as is now provided by law.

35 (2) ~~Nothing in subdivision~~ Subdivision (a)(1) of this section
36 ~~shall be construed in any way to~~ does not eliminate or limit the provisions



1 of § 26-36-301 et seq. concerning the set-off of debt owed to a state
2 program.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36