

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Senator J. Dismang

# A Bill

SENATE BILL 402

## For An Act To Be Entitled

8 AN ACT TO CLARIFY THE PROPERTY HELD BY THE STATE THAT  
9 IS SUBJECT TO GARNISHMENT AFTER A JUDGMENT IS  
10 ENTERED; AND FOR OTHER PURPOSES.

## Subtitle

14 TO CLARIFY THE PROPERTY HELD BY THE STATE  
15 THAT IS SUBJECT TO GARNISHMENT AFTER A  
16 JUDGMENT IS ENTERED.

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

21 SECTION 1. Arkansas Code § 16-110-413(a), concerning property held by  
22 the state that is subject to garnishment, is amended to read as follows:

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

29 (2) ~~Nothing in subdivision~~ Subdivision (a)(1) of this section  
30 ~~shall be construed in any way to~~ does not eliminate or limit ~~the provisions~~  
31 ~~of~~ § 26-36-301 et seq. concerning the set-off of debt owed to a state  
32 program.

