

# Senate Bill 229

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that writ of garnishment issued for collection of judgment entered in criminal action that includes restitution acts to garnish all wages earned by debtor by reason of services to garnishee until full amount owed to creditor is paid or until writ is released.

## A BILL FOR AN ACT

Relating to restitution; creating new provisions; and amending ORS 18.625.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 18.625 is amended to read:

18.625. (1) For any property other than wages, a writ of garnishment acts to garnish only garnishable property of the debtor that is in the garnishee's possession, control or custody at the time the writ is delivered, including money that is owed but not yet due.

(2) Except as provided in ORS 18.618 (2), a writ of garnishment acts to garnish all wages owed by the garnishee to the debtor at the time the writ is delivered. Except as provided in subsection (3) of this section, a writ also acts to garnish all wages earned by the debtor by reason of services to the garnishee during the period commencing with the date the writ is delivered and ending on the earlier of:

(a) The expiration of 90 days after the date the writ is delivered; or

(b) The date on which the garnishment is released or satisfied in full.

(3) If a writ of garnishment is issued on behalf of a county or county agency, the writ acts to garnish all wages earned by the debtor by reason of services to the garnishee until the full amount owed to the county or county agency is paid or until the writ of garnishment is released by the county or county agency or by a court order. A writ of garnishment issued on behalf of a county or county agency shall contain language reasonably designed to notify the garnishee of the provisions of this subsection.

**(4) If a writ of garnishment is issued for the collection of a judgment in a criminal action that includes restitution, the writ acts to garnish all wages earned by the debtor by reason of services to the garnishee until the full amount owed to the creditor is paid or until the writ of garnishment is released by the garnishor or by a court order. A writ of garnishment issued under this subsection shall contain language reasonably designed to notify the garnishee of the provisions of this subsection.**

**SECTION 2.** The amendments to ORS 18.625 by section 1 of this 2009 Act apply only to writs of garnishment issued on or after the effective date of this 2009 Act.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.