

# House Bill 2682

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon State Bar Consumer Law Section)

## 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**.

Increases minimum wage exemption for purposes of garnishment and other execution.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to wage exemption; amending ORS 18.385, 18.840, 18.845 and 18.896; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 18.385 is amended to read:

6 18.385. (1) Except as provided in this section, 75 percent of the disposable earnings of an indi-  
7 vidual are exempt from execution.

8 (2) The disposable earnings of an individual are exempt from execution to the extent that pay-  
9 ment under a garnishment would result in net disposable earnings for an individual of less than the  
10 following amounts:

11 (a) [*\$196*] **\$218** for any period of one week or less;

12 (b) [*\$392*] **\$435** for any two-week period;

13 (c) [*\$420*] **\$468** for any half-month period;

14 (d) [*\$840*] **\$936** for any one-month period; and

15 (e) For any other period longer than one week, [*\$196*] **\$218** multiplied by that fraction produced  
16 by dividing the number of days for which the earnings are paid by seven. The amount calculated  
17 under this paragraph must be rounded to the nearest dollar.

18 (3) If an individual is paid for a period shorter than one week, the exemption calculated under  
19 subsection (2) of this section may not exceed [*\$196*] **\$218** for any one-week period.

20 (4) An employer shall deduct from the amount of disposable earnings determined to be nonex-  
21 empt under subsections (1) to (3) of this section any amounts withheld from the individual's earnings  
22 for the same period of time under an order issued pursuant to ORS 25.378, 419B.408 or 419C.600 or  
23 ORS chapter 110. The employer shall make payment under a garnishment only of those amounts  
24 remaining after the deduction is made.

25 (5) Subsections (1) to (4) of this section do not apply to:

26 (a) Any order of a court of bankruptcy.

27 (b) Any debt due for federal tax.

28 (6) Subsections (2) to (4) of this section do not apply to any debt due for state tax. Subsection  
29 (1) of this section does not apply to a debt due for state tax if a state agency issues a special notice  
30 of garnishment under ORS 18.855 (6).

31 (7) A court may not make, execute or enforce any order or process in violation of this section.

**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.

(8) Any waiver by an individual of the provisions of this section is void.

(9) An employer may not discharge any individual because the individual has had earnings garnished.

**SECTION 2.** ORS 18.840 is amended to read:

18.840. A wage exemption calculation form must be delivered to the garnishee with each writ of garnishment. A wage exemption calculation form must be in substantially the following form:

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**WAGE EXEMPTION CALCULATION**  
(to be filled out by employers only)

- 1. Debtor's gross wages  
for period covered by this  
payment..... \$ \_\_\_\_\_
- 2. Total amount required to be  
withheld by law for amount in Line 1  
(Federal and state  
withholding, Social  
Security, etc.)..... \$ \_\_\_\_\_
- 3. Debtor's disposable wages  
(Subtract Line 2  
from Line 1) ..... \$ \_\_\_\_\_
- 4. Normal exemption  
(Enter 75 percent  
of Line 3) ..... \$ \_\_\_\_\_
- 5. Minimum exemption (check one)
  - [\$196] **\$218** (payment of wages weekly)
  - [\$392] **\$435** (payment of wages every  
two weeks)
  - [\$420] **\$468** (payment of wages half-monthly)
  - [\$840] **\$936** (payment of wages monthly)
  - \$\_\_\_\_\_ (Any other period longer  
than one week, including partial  
payments for less than full pay  
period) (Multiply [\$196] **\$218** by number  
of weeks or fraction of a week)
- 6. Wages exempt from garnishment  
(Line 4 or 5,  
whichever is greater)..... \$ \_\_\_\_\_
- 7. Nonexempt wages  
(Subtract Line 6  
from Line 3) ..... \$ \_\_\_\_\_
- 8. Amount withheld for this pay period  
pursuant to a support order under  
support withholding process or under

1 another writ with priority..... \$ \_\_\_\_\_  
 2 9. Wages subject to garnishment  
 3 (Subtract Line 8  
 4 from Line 7)..... \$ \_\_\_\_\_  
 5

6 INSTRUCTIONS FOR WAGE  
 7 EXEMPTION CALCULATION FORM  
 8

9 If you employ the Debtor named in the writ of garnishment, you must fill out and return this  
 10 Wage Exemption Calculation form. A Wage Exemption Calculation form must be sent with the first  
 11 payment you make under the writ. For the 90-day period during which the writ is effective, you must  
 12 also fill out and return a Wage Exemption Calculation form with a subsequent payment any time the  
 13 initial calculation changes. Finally, you must fill out and return a Wage Exemption Calculation form  
 14 with the final payment that you make under the writ.  
 15

16 Normal wage exemption. The wage exemption calculation is based on the amount of the payment  
 17 you make under the writ of garnishment. The normal wage exemption in Line 4 is 75 percent of the  
 18 employee’s disposable wages in Line 3.  
 19

20 Minimum wage exemption. The minimum exemption in Line 5 is also based on the amount of the  
 21 payment you are making. The minimum exemption is designed to ensure that an employee receives  
 22 at least a certain minimum amount in any one-week period. If the payment is for a one-week period  
 23 (without regard to whether the period is a calendar week or any other seven-day period), the mini-  
 24 mum exemption is [~~\$196~~] **\$218**. The minimum exemption is [~~\$392~~] **\$435** if the payment is for a two-  
 25 week period. If the payment is for one-half of one month (i.e., the Debtor is paid twice each month),  
 26 the minimum exemption is [~~\$420~~] **\$468**. The minimum exemption for a monthly payment is [~~\$840~~]  
 27 **\$936**.

28 If the payment you are making is based on some period of time other than one week, two weeks,  
 29 half month or month, and the payment is for more than one week, you must calculate the minimum  
 30 exemption by multiplying [~~\$196~~] **\$218** by the number of weeks covered by the paycheck, including  
 31 any fraction of a week. You should round the amount calculated to the nearest dollar.  
 32

33 Example 1: You pay Debtor A every 10 days. Each 10-day period is equal to 1.429 weeks (10  
 34 divided by 7). The minimum exemption is [~~\$280~~] **\$312** (~~[\$196] \$218~~ × 1.429 rounded to the  
 35 nearest dollar).  
 36

37 You must use this same calculation for computing the minimum exemption when making a pay-  
 38 ment for less than a full pay period (e.g., for the final payment at the end of the 90-day period cov-  
 39 ered by the writ).  
 40

41 Example 2: You pay Debtor A on a monthly basis. You are required to make a final payment  
 42 under a writ of garnishment for the wages owing to Debtor A for the period beginning Oc-  
 43 tober 1 and ending October 15. This period is equal to 2.143 weeks (15 divided by 7). The  
 44 minimum exemption is [~~\$420~~] **\$467** (~~[\$196] \$218~~ × 2.143 rounded to the nearest dollar).  
 45

1 The amount of time actually worked by the Debtor during the period covered by the paycheck  
 2 does not affect the calculation of the minimum exemption.

3  
 4 Example 3: You pay Debtor A on a weekly basis. Debtor A works two days per week. The  
 5 minimum exemption is [~~\$196~~] **\$218** for each weekly payment you make for Debtor A.

6  
 7 If the payment you are making is based on a period of time less than one week, the minimum  
 8 wage exemption may not exceed [~~\$196~~] **\$218** for any one-week period.

9  
 10 If you receive more than one writ of garnishment. If you receive more than one writ of  
 11 garnishment for the same debtor, the writs have priority based on the date on which you receive  
 12 them. If the full amount of wages subject to garnishment for a given pay period is paid on the first  
 13 writ, you should not make any payment on subsequently received writs until the first writ expires.  
 14 In some cases, it may be necessary to make payments on two or more writs for the same pay period.

15  
 16 Example 4. You have received two writs of garnishment for Debtor A. You pay Debtor A  
 17 on a monthly basis. The first writ expires on October 16. The second writ will not expire  
 18 until November 15. You will need to prepare two wage exemption calculation forms for  
 19 Debtor A's October wages and make payments under both writs. The wage exemption cal-  
 20 culation form for the first writ will be for the wages attributable to October 1 to October  
 21 15 as described in Example 2. The wage exemption calculation form for the second writ will  
 22 be for all wages for the month of October, but the amounts withheld under the first writ  
 23 must be subtracted on Line 8 to determine the October wages subject to garnishment under  
 24 the second writ.

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25  
 26  
 27 **SECTION 3.** ORS 18.845 is amended to read:

28 18.845. A notice of exemptions form must be in substantially the form set forth in this section.  
 29 Nothing in the notice form described in this section is intended to expand or restrict the law re-  
 30 lating to exempt property. A determination as to whether property is exempt from execution, at-  
 31 tachment and garnishment must be made by reference to other law. The form provided in this  
 32 section may be modified to provide more information or to update the notice based on subsequent  
 33 changes in exemption laws.

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34  
 35  
 36 **NOTICE OF EXEMPT PROPERTY**  
 37 **AND INSTRUCTIONS FOR**  
 38 **CHALLENGE TO GARNISHMENT**

39  
 40 Property belonging to you may have been taken or held in order to satisfy a debt. The debt may be  
 41 reflected in a judgment or in a warrant or order issued by a state agency. Important legal papers  
 42 are enclosed.

43 **YOU MAY BE ABLE TO GET YOUR PROPERTY BACK, SO READ THIS NOTICE CARE-**  
 44 **FULLY.**

45 State and federal law specify that certain property may not be taken. Some of the property that

1 you may be able to get back is listed below.

2 (1) Wages or a salary as described in ORS 18.375 and 18.385. Whichever of the following  
3 amounts is greater:

4 (a) 75 percent of your take-home wages; or

5 (b) [~~\$196~~] **\$218** per workweek.

6 (2) Social Security benefits.

7 (3) Supplemental Security Income (SSI).

8 (4) Public assistance (welfare).

9 (5) Unemployment benefits.

10 (6) Disability benefits (other than SSI benefits).

11 (7) Workers' compensation benefits.

12 (8) All Social Security benefits and Supplemental Security Income benefits, and up to \$7,500 in  
13 exempt wages, retirement benefits, welfare, unemployment benefits and disability benefits, that are  
14 held in a bank account. You may attach copies of bank statements to the Challenge to Garnishment  
15 form if you claim this exemption.

16 (9) Spousal support, child support or separate maintenance to the extent reasonably necessary  
17 for your support or the support of any of your dependents.

18 (10) A homestead (house, manufactured dwelling or floating home) occupied by you, or occupied  
19 by your spouse, parent or child. Up to \$40,000 of the value of the homestead is exempt. If you jointly  
20 own the homestead with another person who is also liable on the debt, up to \$50,000 of the value  
21 of the homestead is exempt.

22 (11) Proceeds from the sale of a homestead described in item 10, up to the limits described in  
23 item 10, if you hold the proceeds for less than one year and intend to use those proceeds to procure  
24 another homestead.

25 (12) Household goods, furniture, radios, a television set and utensils with a combined value not  
26 to exceed \$3,000.

27 \*(13) An automobile, truck, trailer or other vehicle with a value not to exceed \$3,000.

28 \*(14) Tools, implements, apparatus, team, harness or library that are necessary to carry on your  
29 occupation, with a combined value not to exceed \$3,000.

30 \*(15) Books, pictures and musical instruments with a combined value not to exceed \$600.

31 \*(16) Wearing apparel, jewelry and other personal items with a combined value not to exceed  
32 \$1,800.

33 (17) Domestic animals and poultry for family use with a combined value not to exceed \$1,000  
34 and their food for 60 days.

35 (18) Provisions and fuel for your family for 60 days.

36 (19) One rifle or shotgun and one pistol. The combined value of all firearms claimed as exempt  
37 may not exceed \$1,000.

38 (20) Public or private pensions.

39 (21) Veterans' benefits and loans.

40 (22) Medical assistance benefits.

41 (23) Health insurance proceeds and disability proceeds of life insurance policies.

42 (24) Cash surrender value of life insurance policies not payable to your estate.

43 (25) Federal annuities.

44 (26) Other annuities to \$250 per month (excess over \$250 per month is subject to the same ex-  
45 emption as wages).

1 (27) Professionally prescribed health aids for you or any of your dependents.

2 \*(28) Elderly rental assistance allowed pursuant to ORS 310.635.

3 (29) Your right to receive, or property traceable to:

4 (a) An award under any crime victim reparation law.

5 (b) A payment or payments, not exceeding a total of \$10,000, on account of personal bodily in-  
6 jury suffered by you or an individual of whom you are a dependent.

7 (c) A payment in compensation of loss of future earnings of you or an individual of whom you  
8 are or were a dependent, to the extent reasonably necessary for your support and the support of  
9 any of your dependents.

10 (30) Amounts paid to you as an earned income tax credit under federal tax law.

11 \*(31) Interest in personal property to the value of \$400, but this cannot be used to increase the  
12 amount of any other exemption.

13 (32) Equitable interests in property.

14 (33) Security deposits or prepaid rent held by a residential landlord under ORS 90.300.

15 (34) If the amount shown as owing on the Debt Calculation form exceeds the amount you actu-  
16 ally owe to the creditor, the difference between the amount owed and the amount shown on the Debt  
17 Calculation form.

18  
19 Note: If two or more people in your household owe the claim or judgment, each of them may  
20 claim the exemptions marked by an asterisk (\*).

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21  
22  
23 SPECIAL RULES APPLY FOR DEBTS THAT ARE OWED FOR CHILD SUPPORT AND  
24 SPOUSAL SUPPORT. Some property that may not otherwise be taken for payment against the debt  
25 may be taken to pay for overdue support. For instance, Social Security benefits, workers' compen-  
26 sation benefits, unemployment benefits, veterans' benefits and pensions are normally exempt, but  
27 only 75 percent of a lump sum payment of these benefits is exempt if the debt is owed for a support  
28 obligation.

29  
30 YOU MUST ACT PROMPTLY IF YOU WANT TO GET YOUR MONEY OR PROPERTY BACK.  
31 You may seek to reclaim your exempt property by doing the following:

32 (1) Fill out the Challenge to Garnishment form that you received with this notice.

33 (2) Mail or deliver the Challenge to Garnishment form to the court administrator at the address  
34 shown on the writ of garnishment, and mail or deliver a copy of the form to the Garnishor at the  
35 address shown on the writ of garnishment. If you wish to claim wages or salary as exempt, you must  
36 mail or deliver the form within 120 days after you receive this notice. If you wish to claim that any  
37 other money or property is exempt, or claim that the property is not subject to garnishment, you  
38 must mail or deliver the form within 30 days after you receive this notice. You have the burden of  
39 showing that your challenge is made on time, so you should keep records showing when the chal-  
40 lenge was mailed or delivered.

41 (3) The law only requires that the Garnishor hold the garnished money or property for 10 days  
42 before applying it to the Creditor's use. You may be able to keep the property from being used by  
43 the Creditor by promptly following (1) and (2) above.

44  
45 You should be prepared to explain your exemption in court. If you have any questions about the

1 garnishment or the debt, you should see an attorney.

2 YOU MAY USE THE CHALLENGE TO GARNISHMENT FORM ONLY FOR THE FOLLOW-  
3 ING PURPOSES:

4 (1) To claim such exemptions from garnishment as are permitted by law.

5 (2) To assert that property is not garnishable property under ORS 18.618.

6 (3) To assert that the amount specified in the writ of garnishment as being subject to  
7 garnishment is greater than the total amount owed.

8  
9 YOU MAY NOT USE THE CHALLENGE TO GARNISHMENT FORM TO CHALLENGE THE  
10 VALIDITY OF THE DEBT.

11 IF YOU FILE A CHALLENGE TO A GARNISHMENT IN BAD FAITH, YOU MAY BE SUB-  
12 JECT TO PENALTIES IMPOSED BY THE COURT THAT COULD INCLUDE A FINE. Penalties  
13 that you could be subject to are listed in ORS 18.715.

14 When you file a Challenge to Garnishment form, the Garnishee may be required to make all  
15 payments under the garnishment to the court, and the Garnishor may be required to pay to the  
16 court all amounts received by the Garnishor that are subject to the challenge to the garnishment.  
17 The Garnishee and Garnishor are subject to penalties if they do not. For a complete explanation of  
18 their responsibilities, see ORS 18.705 and 18.708.

19 \_\_\_\_\_  
20  
21 **SECTION 4.** ORS 18.896 is amended to read:

22 18.896. (1) The challenge to execution form described in this section does not expand or restrict  
23 the law relating to exempt property. A determination as to whether property is exempt from at-  
24 tachment or execution must be made by reference to other law. The form provided in this section  
25 may be modified to provide more information or to update the notice based on subsequent changes  
26 in exemption laws.

27 (2) A challenge to execution form must be in substantially the following form:  
28 \_\_\_\_\_

29  
30 \_\_\_\_\_ COURT  
31 COUNTY OF \_\_\_\_\_

32  
33 \_\_\_\_\_ ) CHALLENGE TO  
34 Plaintiff, ) EXECUTION  
35 )  
36 vs. ) Case No. \_\_\_\_\_  
37 )  
38 \_\_\_\_\_ )  
39 Defendant. )

40  
41 THIS FORM MAY BE USED BY THE DEBTOR ONLY FOR THE FOLLOWING PURPOSES:

42 (1) To claim such exemptions from execution as are permitted by law.

43 (2) To assert that the amount specified in the writ of execution as being subject to execution is  
44 greater than the total amount owed.

1 THIS FORM MAY BE USED BY PERSONS OTHER THAN THE DEBTOR ONLY TO CLAIM  
2 AN INTEREST IN THE PROPERTY THAT IS TO BE SOLD ON EXECUTION.

3  
4 THIS FORM MAY NOT BE USED TO CHALLENGE THE VALIDITY OF THE DEBT.

5  
6 I/We claim that the following described property or money is exempt from execution:  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_

10  
11  
12 I/We believe this property is exempt from execution because (the Notice of Exempt Property at  
13 the end of this form describes most types of property that you can claim as exempt from execution):  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_

17  
18  
19 I am a person other than the Debtor and I have the following interest in the property:  
20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_

23  
24  
25 Name \_\_\_\_\_ Name \_\_\_\_\_  
26 Signature \_\_\_\_\_ Signature \_\_\_\_\_  
27 Address \_\_\_\_\_ Address \_\_\_\_\_  
28 \_\_\_\_\_  
29 Telephone Telephone  
30 Number \_\_\_\_\_ Number \_\_\_\_\_  
31 (Required) (Required)  
32  
33

34 **YOU MUST ACT PROMPTLY IF YOU WANT TO GET YOUR MONEY OR PROPERTY BACK.**

35 You may seek to reclaim your exempt property by doing the following:

- 36 (1) Fill out the Challenge to Execution form that you received with this notice.
- 37 (2) Mail or deliver the Challenge to Execution form to the court administrator at the address  
38 shown on the writ of execution.
- 39 (3) Mail or deliver a copy of the Challenge to Execution form to the judgment creditor at the  
40 address shown on the writ of execution.

41 You should be prepared to explain your exemption in court. If you have any questions about the  
42 execution or the debt, you should see an attorney.  
43

44 **YOU MAY USE THE CHALLENGE TO EXECUTION FORM ONLY FOR THE FOLLOWING**  
45 **PURPOSES:**



1 (1) To claim such exemptions from execution as are permitted by law.

2 (2) To assert that the amount specified in the writ of execution as being subject to execution is  
3 greater than the total amount owed.

4  
5 YOU MAY NOT USE THE CHALLENGE TO EXECUTION FORM TO CHALLENGE THE  
6 VALIDITY OF THE DEBT.

7  
8 IF YOU CLAIM AN EXEMPTION IN BAD FAITH, YOU MAY BE SUBJECT TO PENALTIES  
9 IMPOSED BY THE COURT THAT COULD INCLUDE A FINE. Penalties that you could be subject  
10 to are listed in ORS 18.899.

11  
12 NOTICE OF EXEMPT PROPERTY  
13

14 Property belonging to you may have been taken or held in order to satisfy a debt. The debt may  
15 be reflected in a judgment or in a warrant or order issued by a state agency. Important legal papers  
16 are enclosed.

17 YOU MAY BE ABLE TO GET YOUR PROPERTY BACK, SO READ THIS NOTICE CARE-  
18 FULLY.

19 State and federal law specify that certain property may not be taken. Some of the property that  
20 you may be able to get back is listed below.

21 (1) Wages or a salary as described in ORS 18.375 and 18.385. Whichever of the following  
22 amounts is greater:

23 (a) 75 percent of your take-home wages; or

24 (b) [~~\$196~~] **\$218** per workweek.

25 (2) Social Security benefits.

26 (3) Supplemental Security Income (SSI).

27 (4) Public assistance (welfare).

28 (5) Unemployment benefits.

29 (6) Disability benefits (other than SSI benefits).

30 (7) Workers' compensation benefits.

31 (8) All Social Security benefits and Supplemental Security Income benefits, and up to \$7,500 in  
32 exempt wages, retirement benefits, welfare, unemployment benefits and disability benefits, that are  
33 held in a bank account.

34 (9) Spousal support, child support or separate maintenance to the extent reasonably necessary  
35 for your support or the support of any of your dependents.

36 (10) A homestead (house, manufactured dwelling or floating home) occupied by you, or occupied  
37 by your spouse, parent or child. Up to \$40,000 of the value of the homestead is exempt. If you jointly  
38 own the homestead with another person who is also liable on the debt, up to \$50,000 of the value  
39 of the homestead is exempt.

40 (11) Proceeds from the sale of a homestead described in item 10, up to the limits described in  
41 item 10, if you hold the proceeds for less than one year and intend to use those proceeds to procure  
42 another homestead.

43 (12) Household goods, furniture, radios, a television set and utensils with a combined value not  
44 to exceed \$3,000.

45 \*(13) An automobile, truck, trailer or other vehicle with a value not to exceed \$3,000.

1 \*(14) Tools, implements, apparatus, team, harness or library that are necessary to carry on your  
2 occupation, with a combined value not to exceed \$3,000.

3 \*(15) Books, pictures and musical instruments with a combined value not to exceed \$600.

4 \*(16) Wearing apparel, jewelry and other personal items with a combined value not to exceed  
5 \$1,800.

6 (17) Domestic animals and poultry for family use with a combined value not to exceed \$1,000  
7 and their food for 60 days.

8 (18) Provisions and fuel for your family for 60 days.

9 (19) One rifle or shotgun and one pistol. The combined value of all firearms claimed as exempt  
10 may not exceed \$1,000.

11 (20) Public or private pensions.

12 (21) Veterans' benefits and loans.

13 (22) Medical assistance benefits.

14 (23) Health insurance proceeds and disability proceeds of life insurance policies.

15 (24) Cash surrender value of life insurance policies not payable to your estate.

16 (25) Federal annuities.

17 (26) Other annuities to \$250 per month (excess over \$250 per month is subject to the same ex-  
18 emption as wages).

19 (27) Professionally prescribed health aids for you or any of your dependents.

20 \*(28) Elderly rental assistance allowed pursuant to ORS 310.635.

21 \*(29) Your right to receive, or property traceable to:

22 \*(a) An award under any crime victim reparation law.

23 \*(b) A payment or payments, not exceeding a total of \$10,000, on account of personal bodily in-  
24 jury suffered by you or an individual of whom you are a dependent.

25 \*(c) A payment in compensation of loss of future earnings of you or an individual of whom you  
26 are or were a dependent, to the extent reasonably necessary for your support and the support of  
27 any of your dependents.

28 (30) Amounts paid to you as an earned income tax credit under federal tax law.

29 (31) Interest in personal property to the value of \$400, but this cannot be used to increase the  
30 amount of any other exemption.

31 (32) Equitable interests in property.

32 Note: If two or more people in your household owe the claim or judgment, each of them may  
33 claim the exemptions marked by an asterisk (\*).

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34  
35  
36 SPECIAL RULES APPLY FOR DEBTS THAT ARE OWED FOR CHILD SUPPORT AND  
37 SPOUSAL SUPPORT. Some property that may not otherwise be taken for payment against the debt  
38 may be taken to pay for overdue support. For instance, Social Security benefits, workers' compen-  
39 sation benefits, unemployment benefits, veterans' benefits and pensions are normally exempt, but  
40 only 75 percent of a lump sum payment of these benefits is exempt if the debt is owed for a support  
41 obligation.

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42  
43  
44 **SECTION 5. This 2011 Act being necessary for the immediate preservation of the public**  
45 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**

1 **on its passage.**

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