RÉSUMÉ DIGEST

ACT 250 (SB 173) **2026 Regular Session** **Morris**

Prior law required the garnishee to deliver the property immediately to the sheriff or to pay him the indebtedness when due, when a garnishee, admits in his answers or when a trial of a contradictory motion found that he is in possession of property belonging to the judgment debtor or is indebted to him. Further provided that delivery or payment to the sheriff discharges the garnishee's obligation to the judgment debtor.

Existing law further provides that if a garnishee is a federally insured financial institution and admits in its answer that it has in its possession funds on deposit belonging to the judgment debtor, and the garnishee has received no notice of opposition to the garnishment, and the funds on deposit are $1,000 or less, then the garnishee is allowed to deliver the funds immediately to the sheriff.

New law provides that if a garnishee is a federally insured financial institution and admits in its answer that it has in its possession funds on deposit belonging to the judgment debtor, and the garnishee has received no notice of opposition to the garnishment, and the funds on deposit are greater than $1,000, then the garnishee may deliver the funds on deposit to the sheriff after 30 days.

Effective August 1, 2026.

(Amends C.C.P. Art. 2415(B); adds C.C.P. Art. 2415(C) and (D))