

2020 Regular Session

SENATE BILL NO. 450

BY SENATOR CARTER

CIVIL PROCEDURE. Exempts from seizure payments received under federal law COVID-19 relief. (gov sig)

1 AN ACT

2 To enact R.S. 13:3881(A)(10), relative to exemptions from seizures; to provide an  
3 exemption for certain payments received under federal law providing COVID-19  
4 stimulus and relief; to provide terms and conditions; to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:3881(A)(10) is hereby enacted to read as follows:

7 §3881. General exemptions from seizure

8 A. The following income or property of a debtor is exempt from seizure  
9 under any writ, mandate, or process whatsoever, except as otherwise herein  
10 provided:

11 \* \* \*

12 **(10) Any consumer stimulus payments directly received by the debtor**  
13 **pursuant to federal law enacted to provide for COVID-19 relief, except for**  
14 **spousal or child support. This Paragraph shall not apply to payments received**  
15 **by the debtor as unemployment compensation.**

16 \* \* \*

17 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature  
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
4 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Margaret M. Corley.

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## DIGEST

SB 450 Engrossed

2020 Regular Session

Carter

Present law relative to seizure of property provides general exemptions from seizure under any writ, mandate, or process for specified income or property by a debtor.

Proposed law retains present law and adds any consumer stimulus payments directly received by the debtor pursuant to federal law enacted to provide for COVID-19 relief, except for spousal or child support.

Proposed law provides that the exemption shall not mean payments of unemployment compensation.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 13:3881(A)(10))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Provides that seizures for spousal and child support are allowed.
2. Provides that proposed law shall not mean payments of unemployment compensation.