
DIGEST

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HB 126 Engrossed

2017 Regular Session

Bacala

Abstract: Requires that the payments from a judgment garnishing wages be processed first by the sheriff, marshal, or constable before going to the creditor and allows the justice of the peace to collect a 6% processing fee.

Present law requires that in specific garnishment proceedings, a judgment shall be rendered which provides for payment to seizing creditors.

Proposed law allows the constable of a justice of the peace to receive a 6% fee for collecting money for execution of a writ of fieri facias, without either seizure or sale.

Proposed law amends present law to require that the sheriff, marshal, constable, or justice of the peace first receive the payment from certain garnishment proceedings for processing before the payment is made to the seizing creditor.

(Amends R.S. 13:2590(A)(intro. para.), (B), and (C) and 3921(A); Adds R.S. 13:2590(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove provision allowing a justice of the peace to collect a 6% commission for processing of a garnishment proceeding.
2. Add a provision allowing the constable of a justice of the peace to receive a 6% fee for collecting money for execution of a writ of fieri facias, without either seizure or sale.
3. Remove the language allowing a justice of the peace to be paid a fee prior to payment to the seizing creditor.
4. Make technical amendments.