
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Connick

HB No. 581

Abstract: Increases from 30 to 50 the multiple of federal minimum hourly wages that are exempt from seizure, and authorizes an employer to not remit to a seizing creditor an employee's wages if the wages are less than 125% of the federal poverty guidelines.

Proposed law provides that an employer shall not be required to deduct or remit to a seizing creditor any amount from the wages of any employee whose gross income is less than 125% of the annual amounts set forth pursuant to the United States federal poverty guidelines as published annually in the Federal Register by the U.S. Dept. of Health and Human Services.

Provides that the authority to apply the provisions of proposed law shall be deemed a privilege in favor of the employer, and the application of the privilege is solely within the discretion of the employer based on the determination by the employer of the gross income of the employee and the household size of the employee.

Proposed law defines "household size" as the number of payroll exemptions and deductions declared by the employee on the federal W-2 form signed by the employee and provided to the employer.

Proposed law exempts an employer from any civil action or other penalty based on the decision of the employer to apply or not apply the provisions of proposed law.

Present law exempts, in part, 25% of the income of a debtor from seizure under any writ, mandate, or process whatsoever, but also provides that in no case shall this exemption be less than an amount in disposable earnings which is equal to 30 times the federal minimum hourly wage in effect at the time the earnings are payable.

Proposed law increases from 30 to 50 the multiple of federal minimum hourly wages that are exempt from seizure.

(Amends R.S. 13:3881(A)(1)(a); Adds R.S. 13:3851.2)