

Session 121 - (2015-2016)

S 0038 General Bill, By Bryant

Summary: Residential Landlord and Tenant Act

A BILL TO AMEND CHAPTER 40, TITLE 27 OF THE 1976 CODE, RELATING TO THE RESIDENTIAL LANDLORD AND TENANT ACT, BY ADDING SECTION 27-40-795 TO ALLOW GARNISHMENT FOR A DEBT ARISING FROM A TENANT WILFULLY VIOLATING THE RENTAL AGREEMENT AND TO PROVIDE THAT THE GARNISHMENT ACTION MUST BE BROUGHT IN MAGISTRATES COURT; BY ADDING SECTION 15-19-120, TO DEFINE NECESSARY TERMS RELATED TO GARNISHMENT; BY ADDING SECTION 15-19-130, TO PROVIDE A PROCEDURE FOR THE GARNISHMENT OF WAGES UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 15-19-140, TO PROVIDE A PROCEDURE IF AN EMPLOYER OF THE DEBTOR REFUSES TO WITHHOLD EARNINGS OF THE DEBTOR DEMANDED IN A WRIT OF GARNISHMENT OR KNOWINGLY MISREPRESENTS THE EARNINGS OF THE DEBTOR AND PROVIDE THAT GARNISHMENT IS SUBJECT TO SPECIFIC LIMITATIONS; AND BY ADDING SECTION 15-19-150, TO PROVIDE THAT AN EMPLOYER MAY NOT TAKE NEGATIVE ACTION AGAINST AN EMPLOYEE EXCLUSIVELY RELATED TO A WRIT OF GARNISHMENT.

12/03/14 Senate Prefiled

12/03/14 Senate Referred to Committee on Judiciary

01/13/15 Senate Introduced and read first time (Senate Journal-page 52)

01/13/15 Senate Referred to Committee on Judiciary (Senate Journal-page 52)