**South Carolina General Assembly**

121st Session, 2015-2016

**S. 85**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

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Introduced in the Senate on January 13, 2015

Currently residing in the Senate Committee on **Judiciary**

Summary: Property to be applied to satisfaction of a judgment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2014 Senate Prefiled

12/3/2014 Senate Referred to Committee on **Judiciary**

1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 75](file:///h:\SJ%20Archive\2015\01-13-15.docx))

1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 75](file:///h:\SJ%20Archive\2015\01-13-15.docx))

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**VERSIONS OF THIS BILL**

[12/3/2014](file:///p:\pprever\2015-16\85_20141203.docx)

**A** **BILL**

TO AMEND SECTION 15‑39‑410 OF THE 1976 CODE, RELATING TO PROPERTY WHICH MAY BE ORDERED TO BE APPLIED TOWARD THE SATISFACTION OF A JUDGMENT, TO PROVIDE, INSTEAD OF A COMPLETE EXEMPTION OF THE EARNINGS OF A JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES, THAT ONLY SEVENTY‑FIVE PERCENT OF THE EARNINGS OF THE DEBTOR FOR HIS PERSONAL SERVICES CANNOT BE APPLIED, AND THE EARNINGS OF THE JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES TO BE WITHHELD MAY NOT EXCEED THE LIMITS SET FORTH BY THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15‑39‑410 of the 1976 Code is amended to read:

“Section 15‑39‑410. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person or due to the judgment debtor, to be applied toward the satisfaction of the judgment, except that ~~the~~ seventy‑five percent of the earnings of the debtor for his personal services cannot be so applied, and the earnings of the judgment debtor for his personal services to be withheld may not exceed the limits set forth by the Federal Consumer Credit Protection Act (15 U.S.C. Section 1673).”

SECTION 2. This act takes effect upon approval by the Governor.

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