

FILED MAR 3 1988

SENATE FILE 2281
BY COMMITTEE ON JUDICIARY
(formerly 55B 2177)

Passed Senate, Date 3/15/88 (p. 1197) Passed House, Date 3/30/88 (p. 1197)
Vote: Ayes 41 Nays 0 Vote: Ayes 96 Nays 0
Approved April 14, 1988 (p. 1612)

A BILL FOR

1 An Act relating to service of notice on a judgment debtor in
2 garnishment proceedings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 2281

S-5323

1 Amend Senate File 2281 as follows:
2 1. Page 1, by striking lines 8, 9, and 10, and
3 inserting the following: "entered if notice to the
4 defendant is served with the notice of garnishment to
5 the garnishee who shall deliver the notice to the
6 defendant with the remainder of or in lieu of the
7 defendant's earnings. The garnishee shall state in
8 answer to the service of notice of garnishment whether
9 or not service of notice was delivered to the
10 defendant."

S-5323
Filed March 11, 1988
Adopted 3/15 (p. 607)

BY RICHARD VARN
DONALD V. DOYLE

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1 Section 1. Section 642.14, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 Judgment against the garnishee shall not be entered until
4 the principal defendant ~~shall have~~ has had ten days' notice of
5 the garnishment proceedings, to be served in the same manner
6 as original notices. However, if the garnishment is to
7 earnings owed the defendant by the garnishee, judgment may be
8 entered after notice to the defendant has been served on the
9 garnishee who shall deliver the notice to the defendant with
10 the remainder of or in lieu of the defendant's earnings.

11 EXPLANATION

12 This bill allows the service of notice of garnishment
13 proceedings to a judgment debtor when the garnishment is to
14 the debtor's earnings, by delivery of the notice to the
15 debtor's employer who shall deliver the notice to the debtor
16 with the remainder of or in lieu of the remainder of the
17 debtor's earnings.

18 SUCCESSOR TO SSB 2177 (LSB 7624SC)

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8 entered if notice to the defendant is served with the notice
9 of garnishment to the garnishee who shall deliver the notice
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11 defendant's earnings. The garnishee shall state in answer to
12 the service of notice of garnishment whether or not service of
13 notice was delivered to the defendant.

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SSB 2177

JUDICIARY: Varn, Chair: Mann and Hester

Varn, ch.
Mann
Hester

SSB 2177
JUDICIARY
New

SENATE FILE 2281
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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17 debtor's earnings.

18 COMPANION TO LSB 7941HC

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SENATE FILE 2281

AN ACT
RELATING TO SERVICE OF NOTICE ON A JUDGMENT DEBTOR IN GARNISHMENT
PROCEEDINGS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 642.14, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Judgment against the garnishee shall not be entered until the principal defendant ~~shall have~~ has had ten days' notice of the garnishment proceedings, to be served in the same manner as original notices. However, if the garnishment is to earnings owed the defendant by the garnishee, judgment may be entered if notice to the defendant is served with the notice of garnishment to the garnishee who shall deliver the notice to the defendant with the remainder of or in lieu of the defendant's earnings. The garnishee shall state in answer to

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2281, Seventy-second General Assembly.

Approved April 14, 1988

JOHN P. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor

SF 2281