
A BILL FOR AN ACT

RELATING TO GARNISHMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Under section 652-14, Hawaii Revised Statutes,
2 a creditor is required to provide duplicate receipts to a
3 garnishee when a payment is received under the garnishment
4 process. The legislature finds that the implementation of this
5 statute is outdated. Currently, when a creditor garnishes
6 payment from the wages of a judgment debtor, the employer of the
7 judgment debtor is required under section 388-7(4) to furnish
8 the judgement debtor a pay stub or similar record that states
9 the amount and purpose of each deduction taken from gross pay.
10 Similarly, when a creditor garnishes payment from the bank
11 account of a judgment debtor, the bank will note the garnishment
12 and withdrawal of funds in the monthly bank statement of the
13 judgment debtor. Requiring the creditor to deliver duplicate
14 receipts under section 652-14 amounts to needless and extra
15 paperwork.

16 The purpose of this Act is to repeal section 652-14 to
17 eliminate the burden placed on the creditor who is required to



1 deliver duplicate receipts each time a payment is received under
2 the garnishment process.

3 SECTION 2. Section 652-14, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§652-14 Receipts to be given by creditor on penalty of~~
6 ~~forfeiture. Any creditor collecting money under garnishment~~
7 ~~process shall furnish duplicate receipts therefor to the~~
8 ~~garnishee, one of which receipts shall be delivered by the~~
9 ~~garnishee to the debtor.~~

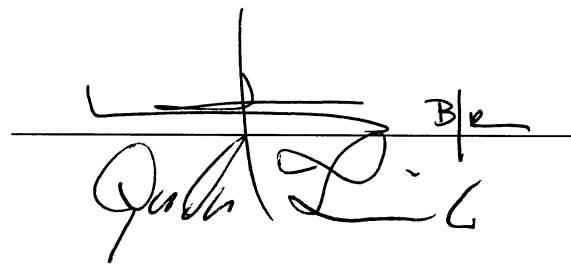
10 ~~No portion of any salary or wages withheld or sequestered~~
11 ~~shall be paid to any creditor unless such duplicate receipts are~~
12 ~~delivered to the person in whose hands the funds are sequestered~~
13 ~~or withheld, and any creditor failing to furnish such duplicate~~
14 ~~receipts shall forfeit any amounts taken without the furnishing~~
15 ~~by the creditor of the duplicate receipts, and the creditor~~
16 ~~shall be personally liable, to debtor, for the amounts."]~~

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken.

19 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



Report Title:
Garnishment

SB 2927

Description:

Repeals requirement that creditor is to deliver duplicate receipts to a garnishee each time a payment is received under the garnishment process.

