

1 HB222  
2 164849-2  
3 By Representative Nordgren  
4 RFD: Judiciary  
5 First Read: 10-MAR-15

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 Relating to garnishment; to add a new Section  
9 30-3-69.1 to Article 3, Chapter 3, Title 30, Code of Alabama  
10 1975, to provide that an employer who pays an employee in a  
11 manner that protects the wages of the employee from  
12 garnishment or withholding laws to be personally liable for  
13 the child support that could have been garnished or withheld.  
14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 30-3-69.1 is added to Article 3,  
16 Chapter 3, Title 30 of the Code of Alabama 1975, to read as  
17 follows:

18 §30-3-69.1.

19 An employer who pays his or her employee in a manner  
20 intending to protect the wages of the employee from being  
21 garnished or withheld for the purpose of or the collection of  
22 child support payments owed by the employee shall be  
23 personally liable for the amount of child support owed as if  
24 the child support had been withheld under Chapter 3 of this  
25 title or to the same degree as an employer who willfully fails  
26 or refuses to withhold or pay the amounts required under  
27 Section 30-3-69.

1                   Proof of the employer's intent to protect the wages  
2                   of the employee in a manner violating this section must be  
3                   established by clear and convincing evidence.

4                   Section 2. This act shall become effective on the  
5                   first day of the third month following its passage and  
6                   approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Judiciary ..... 10-MAR-15

Read for the second time and placed  
on the calendar 1 amendment ..... 18-MAR-15

Read for the third time and passed  
as amended..... 14-APR-15

Yeas 94, Nays 0, Abstains 0

Jeff Woodard  
Clerk