
HOUSE BILL 2405

State of Washington 52nd Legislature 1992 Regular Session

By Representative Appelwick

Read first time 01/16/92. Referred to Committee on Judiciary.

1 AN ACT Relating to garnishment; and amending RCW 6.27.150.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 6.27.150 and 1991 c 365 s 26 are each amended to read
4 as follows:

5 (1) Except as provided in subsection (2) of this section, if the
6 garnishee is an employer owing the defendant earnings, then for each
7 week of such earnings, an amount shall be exempt from garnishment which
8 is the greatest of the following:

9 (a) Thirty times the federal minimum hourly wage prescribed by
10 section 206(a)(1) of Title 29 of the United States Code in effect at
11 the time the earnings are payable; (~~or~~)

12 (b) Forty times the state minimum hourly wage prescribed by RCW
13 49.46.020 in effect at the time the earnings are payable; or

1 (c) Seventy-five percent of the disposable earnings of the
2 defendant.

3 (2) In the case of a garnishment based on a judgment or other court
4 order for child support or court order for spousal maintenance, other
5 than a mandatory wage assignment order pursuant to chapter 26.18 RCW,
6 or a mandatory assignment of retirement benefits pursuant to chapter
7 41.50 RCW, the exemption shall be fifty percent of the disposable
8 earnings of the defendant if the individual is supporting a spouse or
9 dependent child (other than a spouse or child on whose behalf the
10 garnishment is brought), or forty percent of the disposable earnings of
11 the defendant if the individual is not supporting such a spouse or
12 dependent child.

13 (3) The exemptions stated in this section shall apply whether such
14 earnings are paid, or are to be paid, weekly, monthly, or at other
15 intervals, and whether earnings are due the defendant for one week, a
16 portion thereof, or for a longer period.

17 (4) Unless directed otherwise by the court, the garnishee shall
18 determine and deduct exempt amounts under this section as directed in
19 the writ of garnishment and answer, and shall pay these amounts to the
20 defendant.

21 (5) No money due or earned as earnings as defined in RCW 6.27.010
22 shall be exempt from garnishment under the provisions of RCW 6.15.010,
23 as now or hereafter amended.