

2A: 17-56

LEGISLATIVE HISTORY CHECKLIST
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(Wage execution)

NJSA: 2A:17-56

LAWS OF: 1970 **CHAPTER:** 287

BILL NO: S138

SPONSOR(S) Rinaldo, LaCorte and McDermott

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

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CHAPTER 287 LAWS OF N. J. 1970
APPROVED DEC. 14, 1970

SENATE, No. 138

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1970 SESSION

By Senators RINALDO, LACORTE and McDERMOTT

AN ACT concerning execution and amending sections 2A:17-56
and 2A:17-57 of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 2A:17-56 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:17-56. In no case shall the amount specified in an execution
4 issued out of any court against the wages, debts, earnings, salary,
5 income from trust funds or profits due and owing, or which may
6 thereafter become due and owing to a judgment debtor, exceed 10%,
7 unless the income of such debtor shall exceed the sum of **[\$2,500]**
8 *\$7,500.00* per annum, in which case the court out of which the
9 execution shall issue may order a larger percentage.

1 2. Section 2A:17-57 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:17-57. As used in this article, "rights and credits" include
4 all rights and credits which may be taken by writ of attachment
5 against nonresident debtors, and also rights and credits of an
6 equitable nature, except such income and property as is reserved or
7 exempt by law, but wages, debts, earnings, salaries, income from
8 trust funds and profits due and owing to a defendant in execution
9 to the amount of less than \$48.00 a week shall not be liable to be
10 seized or taken by virtue of any execution, civil process or order
11 directing payments to be made in installments. If they amount to
12 \$48.00 or more a week, not more than 10% thereof may be so seized
13 or taken, unless they exceed the sum of **[\$2,500.00]***\$7,500.00* per
14 annum, in which case the court may order a larger percentage.

14A Nothing contained in this article or article 7 shall be construed as
15 impairing the rights of an execution creditor under other provisions

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

16 of this chapter or any law of this State relating to executions, or as
17 against any trust which was created by or the fund held in trust
18 has proceeded from the defendant in execution.

1 3. This act shall take effect immediately, but shall only apply to
2 executions under court orders issued on or after the affective date
3 of this act.