

2A:17-50

August 19, 1969

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Legislative Notes on R.S. 2A:17-50
(Wage execution - \$43 exempt)

Bills to increase minimum excluded from garnishment:

1968 - A474

Introduced March 14th by Kaltenbacher and others.
Died in Assembly Committee.
No statement.

1969 - S635

Introduced March 24th by Rinaldo, La Corte, McBermott.
Presently in Senate.
No statement.

L. 1969, Chapter 92 - A118

Introduced Jan. 14th by Apg.
No statement.
Bill was amended. (Copy enclosed)

No hearings or reports were located.

Checked (V.F. - N.J. - Wages 1968-1969) without success.

JH/fb

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CHAPTER 92 LAWS OF N. J. 19 69

APPROVED 6/20/69
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ASSEMBLY, No. 118

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1969 SESSION

By Assemblyman APY

AN ACT concerning execution and amending sections 2A:17-50 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:17-50 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:17-50. When a judgment has been recovered in the Superior
4 Court, a County Court or county district court and where any
5 wages, debts, earnings, salary, income from trust funds, or profits
6 are due and owing to the judgment debtor, or thereafter become
7 due and owing to him, to the amount of **[\$18.00]** ***[\$40.00]***
8 *\$48.00* or more a week, the judgment creditor may, on notice to
9 the judgment debtor unless the court otherwise orders, apply to the
10 court in which the judgment was recovered, or to the court having
11 jurisdiction of the same, and upon satisfactory proofs, by affidavit
12 or otherwise, of such facts, the court shall grant an order directing
13 that an execution issue against the wages, debts, earnings, salary,
14 income from trust funds, or profits of the judgment debtor.

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 **[\$18.00]** ***[\$40.00]*** *\$48.00* a week
10 shall not be liable to be seized or taken by virtue of any execution,
11 civil process or order directing payments to be made in install-
12 ments. If they amount to **[\$18.00]** ***[\$40.00]*** *\$48.00* or more a

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

13 week, not more than 10% thereof may be so seized or taken, unless
14 they exceed the sum of \$2,500.00 per annum, in which case the court
15 may order a larger percentage.

16 Nothing contained in this article or article 7 shall be construed as
17 impairing the rights of an execution creditor under other provisions
18 of this chapter or any law of this State relating to executions, or as
19 against any trust which was created by or the fund held in trust
20 has proceeded from the defendant in execution.

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

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ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 118

STATE OF NEW JERSEY

ADOPTED MARCH 17, 1969

Amend page 1, section 1, line 7, omit "\$40.00" insert "\$48.00".

Amend page 1, section 2, line 9, omit "\$40.00" insert "\$48.00".

Amend page 2, section 2, line 12, omit "\$40.00" insert "\$48.00".