

1 HB4
2 147160-1
3 By Representative Nordgren
4 RFD: Children and Senior Advocacy
5 First Read: 14-JAN-14
6 PFD: 10/02/2013

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8 SYNOPSIS: Under existing law, an employer who
9 willfully fails or refuses to withhold or pay the
10 amounts as ordered may be held to be in contempt of
11 court, or personally liable to the obligee for
12 failure to answer or withhold.

13 This bill would provide that an employer who
14 pays his or her employee's wages in a manner
15 intending to protect the wages of his or her
16 employee from being garnished or withheld for the
17 purpose of the collection of child support payment
18 owed by the employee shall be personally liable for
19 the child support that could have been garnished or
20 withheld.

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22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Relating to garnishment; to add a new Section
27 30-3-69.1 to Article 3, Chapter 3, Title 30, Code of Alabama

1 1975, to provide that an employer who pays an employee in a
2 manner that protects the wages of the employee from
3 garnishment or withholding laws to be personally liable for
4 the child support that could have been garnished or withheld.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 30-3-69.1 is added to Article 3,
7 Chapter 3, Title 30 of the Code of Alabama 1975, to read as
8 follows:

9 §30-3-69.1.

10 An employer who pays his or her employee in a manner
11 intending to protect the wages of the employee from being
12 garnished or withheld for the purpose of or the collection of
13 child support payments owed by the employee shall be
14 personally liable for the amount of child support owed as if
15 the child support had been withheld under Chapter 3 of this
16 title or to the same degree as an employer who willfully fails
17 or refuses to withhold or pay the amounts required under
18 Section 30-3-69.

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