

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 17-0600.01 Jerry Barry x4341

**SENATE BILL 17-080**

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**SENATE SPONSORSHIP**

**Merrifield,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A REDUCTION IN THE AMOUNT OF EARNINGS SUBJECT TO**  
102      **GARNISHMENT.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill changes the amount of wages that may be withheld and paid under a garnishment to the lesser of:

- !      25% of an individual's disposable earnings; or
- !      If the individual makes less than 250% of the federal poverty level adjusted for family size, 10% of the individual's gross earnings; or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

! Zero if the individual's weekly take-home pay is less than 30 times the state's minimum wage.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 13-54-104, **amend**  
3 (2)(a) introductory portion and (2)(a)(I) as follows:

4 **13-54-104. Restrictions on garnishment and levy under**  
5 **execution or attachment - definitions.** (2) (a) Except as provided in  
6 subsection (3) of this section, the maximum part of the aggregate  
7 disposable earnings of an individual for any workweek ~~which~~ THAT is  
8 subjected to garnishment or levy under execution or attachment may not  
9 exceed:

10 (I) For debts other than debts ~~under subparagraph (H) of this~~  
11 ~~paragraph (a)~~ PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, the  
12 lesser of:

13 (A) Twenty-five percent of the individual's disposable earnings  
14 for that week; or

15 (B) ~~The amount by which the individual's disposable earnings for~~  
16 ~~that week exceed thirty times the federal minimum hourly wage~~  
17 ~~prescribed by section 206 (a)(1) of title 29 of the United States Code in~~  
18 ~~effect at the time the earnings are payable;~~ IF THE INDIVIDUAL'S GROSS  
19 EARNINGS ARE LESS THAN TWO HUNDRED FIFTY PERCENT OF THE FEDERAL  
20 POVERTY LEVEL FOR THE INDIVIDUAL, TAKING INTO ACCOUNT THE SIZE OF  
21 THE INDIVIDUAL'S FAMILY, TEN PERCENT OF THE INDIVIDUAL'S GROSS  
22 EARNINGS; or

23 (C) ZERO IF ~~the amount by which~~ the individual's disposable  
24 earnings for that week ~~exceed~~ IS LESS THAN thirty times the state  
25 minimum hourly wage pursuant to section 15 of article XVIII of the state

1 constitution in effect at the time the earnings are payable;

2           **SECTION 2. Effective date - applicability.** This act takes effect  
3 July 1, 2017, and applies to garnishments and levies issued on or after  
4 said date.

5           **SECTION 3. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.