

CHAPTER 156

COURTS

SENATE BILL 06-060

BY SENATOR(S) Tochtrop, and Groff;
also REPRESENTATIVE(S) Carroll T., Berens, McGihon, and Rose.

AN ACT**CONCERNING THE ASSERTION BY A GARNISHEE OF AN EXEMPTION ON BEHALF OF A JUDGMENT DEBTOR.**

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

SECTION 1. Article 54.5 of title 13, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

13-54.5-108.5. Garnishee not required to assert exemption. A GARNISHEE SHALL NOT BE REQUIRED TO DEDUCT, SET UP, OR PLEAD ANY EXEMPTION FOR OR ON BEHALF OF A JUDGMENT DEBTOR, EXCEPT AS SET FORTH IN THE WRIT.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2006, and shall apply to garnishments issued on or after said date.

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

Approved: April 24, 2006

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.