

AMOUNTS SUBJECT TO GARNISHMENT

Federal

Private and public employers: Maximum aggregate disposable earnings subject to garnishment generally may not exceed the lesser of: (1) 25% of weekly disposable earnings; or (2) the amount by which weekly disposable earnings exceed 30 times the federal minimum hourly wage. For pay period other than a week, a multiple of the minimum hourly wage will be prescribed. Maximum aggregate disposable earnings subject to garnishment to enforce support orders may not exceed: (1) 50% of weekly disposable earnings, where an individual is supporting his spouse or dependent child (other than the subject of the support order); and (2) 60% of weekly disposable earnings where an individual is not supporting such a spouse or dependent child. Higher percentages apply if the support order is for a period prior to the 12-week period ending with the beginning of the workweek (15 U.S.C. Sec. 1673).

Alabama

Private and public employers: Seventy-five percent of a resident employee's wages, salary or other compensation is exempt from garnishment (Ala Code, Sec. 6-10-7). For consumer loans, consumer credit sales and consumer leases, the amount subject to garnishment must not exceed the lesser of 25% of disposable earnings for the week or the amount by which an employee's earnings exceed 30 times the current federal minimum wage (\$154.50 is 30 times the current federal minimum wage rate of \$5.15 per hour) (Ala Code, Sec. 5-19-15).

Alaska

Private and public employers: Weekly net earnings are determined by subtracting from weekly gross earnings all sums required to be withheld. If pay is semimonthly, weekly net earnings are determined by subtracting amounts required to be withheld and dividing the remainder by 2.17. If pay is monthly, weekly net earnings are determined by subtracting amounts required to be withheld and dividing the remainder by 4.3. For payments made on any other basis, the maximum exemption is the aggregate value of cash and other liquid assets available in any month. The amounts exempt from garnishment may be adjusted, by regulation, for inflation based on changes in the Consumer Price Index (Alaska Stat, Sec. 09.38.030). Notwithstanding the exemption amounts provided for weekly net earnings and cash and other liquid assets, the exemption for weekly net earnings is \$473 and the maximum monthly exemption for cash and other liquid assets is \$1,890 (Alaska Stat, Sec. 09.38.030 and 8 Alaska Admin. Code, Sec. 95.030(d), as amended effective October 1, 2012, Register 203). Notwithstanding the increased exemption amounts provided for weekly disposable earnings and cash and other liquid assets, the exemption for weekly disposable earnings is \$743 and the maximum monthly exemption for cash and other liquid assets is \$2,970 (Alaska Stat, Sec. 09.38.030 and 8 Alaska Admin. Code, Sec. 95.030(e), as amended effective October 1, 2012, Register 203).

Arizona

Private and public employers: The maximum part of an employee's disposable earnings for any workweek that is subject to garnishment may not exceed 25% of disposable earnings for that week or the amount by which disposable earnings for the week exceed 30 times the current federal minimum wage rate, whichever is less (Ariz RevStat, Secs. 12-1598.16 and 33-1131).

Arkansas

Private and public employers: Employers must hold, to the extent of the amount due upon the judgment and costs, subject to a court's order, any nonexempt wages due or that subsequently become due. A garnishment will continue until the amount due is paid or until the expiration of the employee's payroll period immediately prior to three calendar months after service of the execution, whichever occurs first (Ark CodeAnn, Sec. 16-110-415).

California

Private and public employers: The amount of earnings exempt from garnishment is the same as under federal law. The maximum amount of disposable earnings subject to levy under an earnings withholding order, for any workweek, must not exceed the lesser of 25% of the individual's weekly disposable earnings or the amount by which the individual's disposable earnings for the week exceed 40 times the state minimum hourly wage in effect at the time the earnings are payable, unless an exception applies. *Wage payment other than weekly* The following multipliers are to be used for pay periods other than weekly: (1) for a daily pay period, the amounts shall be identical to the amounts described above; (2) for a biweekly pay period, multiply the state hourly minimum wage by 80 work hours; (3) for a semimonthly pay period, multiply the state hourly minimum wage by 862/3 work hours; and (4) for a monthly pay period, multiply the state hourly minimum wage by 1731/3 work hours (Cal CivProcCode, Sec. 706.050, as amended by A.B. 1775, L. 2012; This version becomes inoperative on July 1, 2016).

Operative July 1, 2016: Except as otherwise provided under this chapter [Chapter 5 of Part 2, Title 9, Division 2 of the California Code of Civil Procedure], the maximum amount of an individual judgment debtor's disposable earnings subject to levy under an earnings withholding order shall not exceed the lesser of the following: (1) 25% of the individual's weekly disposable earnings for that week or (2) 50% of the amount by which the individual's disposable earnings for that week exceed 40 times the state minimum hourly

wage in effect at the time the earnings are payable. If a judgment debtor works in a location where the local minimum hourly wage is greater than the state minimum hourly wage, the local minimum hourly wage in effect at the time the earnings are payable shall be used for the calculation (Cal CivProcCode, Sec. 706.050(a), as amended by Ch. 800 (S.B. 501), L. 2015, effective July 1, 2016). *Wage payment other than weekly* For any pay period other than weekly, the following multipliers shall be used to determine the maximum amount of disposable earnings subject to levy under an earnings withholding order that is proportional in effect to the calculation described in paragraph (a)(2) above, except as specified in paragraph (1): (1) for a daily pay period, the amounts shall be identical to the amounts described in subdivision (a)(above); (2) for a biweekly pay period, multiply the applicable hourly minimum wage by 80 work hours; (3) for a semimonthly pay period, multiply the applicable hourly minimum wage by 862/3 work hours; (4) for a monthly pay period, multiply the applicable hourly minimum wage by 1731/3 work hours (Cal CivProcCode, Sec. 706.050(b), as amended by Ch. 800 (S.B. 501), L. 2015, effective July 1, 2016).

Seventy-five percent of earnings are exempt from garnishment if they were not subject to an earnings withholding order or earnings assignment order for support prior to payment (Cal CivProcCode, Sec. 704.070).

Colorado

Private and public employers: The maximum part of disposable earnings that is subject to garnishment may not exceed 25% of disposable earnings for a week or the amount by which disposable earnings exceed 30 times the current federal minimum wage, whichever is less. For earnings for any period other than a week, federal multiples are to be used (Colo RevStat, Secs. 5-5-105 and 13-54-104).

Public employers: Wages of all employees, including employees of the State of Colorado, municipal and quasi-municipal corporations, and any officer, board, or commission are subject to garnishment. However, salaries or fees due to any state officer designated as such and whose salary or fees are fixed by the state constitution are not subject to garnishment (Colo RevStat, Sec. 13-61-101).

Connecticut

Private and public employers: The maximum part of aggregate weekly earnings that may be subject to garnishment is the lesser of (1) 25% of disposable earnings for the week or (2) the amount by which disposable earnings exceed 40 times the higher of (a) the current minimum hourly federal wage (\$206 is 40 times the current federal minimum wage rate of \$5.15 per hour) or (b) the full minimum fair wage established under state law (Conn Stat, Sec. 52-361a). The tax collector may garnish wages for local taxes due (Conn Stat, Sec. 12-162).

Delaware

Private and public employers: Eighty-five percent of wages of any person residing in the state will be exempt from attachment; however, this limitation will not apply to process for the collection of a fine or costs or taxes due and owing to the state (Del CodeAnn, Tit. 10, Sec. 4913).

District of Columbia

Private and public employers: Twenty-five percent of disposable earnings for a week or the amount by which disposable earnings exceed 30 times the federal minimum hourly wage (\$154.50 is 30 times the current federal minimum wage rate of \$5.15 per hour), whichever is less, are subject to garnishment (DC CodeAnn, Sec. 16-572). However, an employer must not withhold or pay over more than 10% of the gross wages of an employee for any pay period in a calendar month until the total amount of gross wages for the calendar month equals \$200, nor more than 20% of the gross wages in excess of \$200 in a calendar month until the total amount of gross wages for the calendar month equals \$500 (DC CodeAnn, Sec. 16-573).

Florida

Private and public employers: Up to \$500 per week of the disposable earnings of a head of family are exempt from attachment or garnishment. Disposable earnings greater than \$500 a week cannot be attached or garnished unless the employee agrees in writing. Effective October 1, 2010, up to \$750 per week of the disposable earnings of a head of family are exempt from attachment or garnishment. Disposable earnings greater than \$750 a week cannot be attached or garnished unless the employee agrees in writing; The agreement to waive must (a) be written in the same language as the contract or agreement to which the waiver relates, (b) be contained in a separate document attached to the contract or agreement, (c) be in substantially the same form specified under law (Fla Stat, Sec. 222.11, as amended) in at least 14-point type, that provides if an individual provides more than one-half of the support for a child or dependent, all or part of the income is exempt from garnishment under Florida law, and that this protection can be waived only by signing the document waiving such protection. Such garnishments are subject to federal garnishment limits and can not exceed the amount allowed in the federal Consumer Credit Protection Act (15 U.S.C. Sec. 1673). Exempt earnings that are credited or deposited in any financial institution are exempt from garnishment for six months after they are received by the financial

institution if they can be traced and properly identified as wages (Fla Stat, Sec. 222.11 and Sec. 77.041, as amended by Ch. 97 (S.B. 492), L. 2010, enacted May 26, 2010, and effective October 1, 2010).

Georgia

Private and public employers: Subject to the limitations set forth in Code Sections 18-4-6 and 18-4-53, the maximum part of disposable earnings for any work week which is subject to garnishment shall not exceed the lesser of: (a) 25% of the employee's disposable earnings for that week; or (b) the amount by which the defendant's disposable earnings for that week exceed \$217. In the case of earnings for a period other than a week, a multiple of \$7.25 per hour is to be used. The limitation on garnishment shall apply although the garnishee may receive a summons of garnishment in more than 1 garnishment case naming the same defendant unless the garnishee has received a summons of continuing garnishment for support. No employer shall discharge an employee by reason of the fact that such employee's earnings have been subjected to garnishment for any 1 obligation, even though more than 1 summons of garnishment may be served upon such employer with respect to the obligation (Ga CodeAnn, Sec. 18-4-5, added by Act 325 (S.B. 255), L. 2016).

Certain earnings or property may be considered exempt from the garnishment process and shall not be considered as "disposable earnings." Such earnings considered exempt include funds or benefits from an individual retirement account or retirement program until paid or distributed, after which such payments are exempt as for disposable earnings above, unless a greater exemption is provided by law. Funds in an unfunded plan maintained by an employer primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees shall not be exempt from the process of garnishment. The Attorney General is to create and maintain (not later than 10 days after the effective date of S.B. 255, L. 2016) on the Department of Law's Internet website a list of exemptions that a defendant may be allowed by law to claim in relationship to garnishment of earnings or property (Ga CodeAnn, Sec. 18-4-6, added by Act 325 (S.B. 255), L. 2016).

Public employers: Money due officials or employees of a municipal corporation or county of this state or of the state government, or any department or institution thereof, as salary for services performed for or on behalf of the municipal corporation or county of this state or the state, or any department or institution thereof, shall be subject to garnishment, except that in no event shall the officials' or employees' salary be garnisheed when the judgment serving as a basis for the issuance of the summons of garnishment arises out of the liability incurred in the scope of the officials' or employees' governmental employment while responding to an emergency. In such cases, the summons of garnishment shall be directed to such political entity and served upon the person authorized by law to draw the warrant on the treasury of the government or to issue a check for such salary due, or upon the chief administrative officer of the political subdivision, department, agency, or instrumentality; and such entity shall be required to respond to such summons. For purposes of this provision only, the state and its political subdivisions, departments, agencies, and instrumentalities shall be deemed private persons; and jurisdiction for the purpose of issuing a summons of garnishment shall be restricted to a court located in the county in which the warrant is drawn on the treasury of the government or in which the check is issued for the salary due the official or employee of the state or its political subdivisions, departments, agencies, or instrumentalities (Ga CodeAnn, Sec. 18-4-26, added by Act 325 (S.B. 255), L. 2016).

"Disposable earnings" means that part of the earnings of an individual remaining after the deduction for federal income tax, state income tax, withholdings for the Federal Insurance Contributions Act (FICA), and other mandatory deductions required by law (Ga CodeAnn, Sec. 18-4-1, added by Act 325 (S.B. 255), L. 2016). "Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, fee, bonus, tips, overtime, or severance pay, including recurring periodic payments from pensions or retirement plans, including, but not limited to, the United States Department of Veterans Affairs, Railroad Retirement Board, Keoghs, and individual retirement accounts (Ga CodeAnn, Sec. 18-4-1, added by Act 325 (S.B. 255), L. 2016).

Continuing order for garnishment: In addition to garnishment proceedings otherwise available under this chapter, in all cases when a money judgment was obtained in a court of this state or a federal court or is being enforced in this state as provided in Article 5 of Chapter 12 of Title 9, the "Uniform Foreign-Country Money Judgments Recognition Act," or Article 6 of Chapter 12 of Title 9, the "Uniform Enforcement of Foreign Judgments Law," a plaintiff shall be entitled to the process of continuing garnishment against any garnishee who is an employer of the defendant against whom the judgment has been obtained (Ga CodeAnn, Sec. 18-4-40, added by Act 325 (S.B. 255), L. 2016).

Continuing order for support: In addition to garnishment proceedings otherwise available under this chapter, in all cases when a judgment was obtained or is being enforced, a plaintiff shall be entitled to the process of continuing garnishment for support against any garnishee who is an employer of the defendant against whom the judgment has been obtained (Ga CodeAnn, Sec. 18-4-51, added by Act 325 (S.B. 255), L. 2016). Subject to the limitations set forth in Code Section 18-4-6 above, the maximum part of disposable earnings for any work week which shall be subject to continuing garnishment for support shall not exceed 50 percent of the defendant's disposable earnings for that week. Funds or benefits from an individual retirement account or from a pension or

retirement program shall not be exempt from the process of continuing garnishment for support except as provided for other disposable earnings, unless a greater exemption is otherwise provided by law (Ga CodeAnn, Sec. 18-4-53, added by Act 325 (S.B. 255), L. 2016). The continuing garnishment for support shall attach for so long as the defendant is employed by the garnishee and shall not terminate until the original arrearage is retired and all support payments are current (Ga CodeAnn, Sec. 18-4-55, added by Act 325 (S.B. 255), L. 2016). "Earnings", in addition to the meaning for "earnings" above, include disability or retirement benefits that are received from the Social Security Administration pursuant to Title II of the federal Social Security Act, disability benefits that are received pursuant to the federal Veterans' Benefits Act of 2010, 38 U.S.C. Section 101, et seq., workers' compensation benefits, whether temporary or permanent, and unemployment insurance benefits. "Periodic support" means money required to be paid regularly on a daily, weekly, monthly, or other similar specified frequency for the support of a minor child of the defendant or a spouse or former spouse of the defendant (Ga CodeAnn, Sec. 18-4-50, added by Act 325 (S.B. 255), L. 2016).

Hawaii

Private and public employers: Wages, salaries, commissions, and all other compensation for personal services due for services rendered during the 31 days before the garnishment proceeding are exempt from attachment (Haw RevStat, Sec. 651-121). The following portion of an employee's wages, salary, or commissions remaining after deduction of amounts required by law is subject to garnishment: 5% of the first \$100 of wages per month, 10% of the next \$100 per month, and 20% of all sums in excess of \$200 per month or the equivalent amount per week (Haw RevStat, Sec. 652-1).

Idaho

Private employers: The maximum amount subject to garnishment in any workweek cannot exceed 25% of disposable earnings or the amount by which disposable earnings for that week exceed 30 times the federal minimum hourly wage, whichever is less. For pay periods other than a week, the Commissioner of Labor will prescribe a multiple equivalent of the federal rate. These restrictions do not apply in cases of child support, bankruptcy, or debts due for any state or federal tax (Ida Code, Sec. 11-207; and Sec. 11-712, added by Ch. 303 (S. 1202), L. 2017, effective July 1, 2017).

The maximum part of an individual's aggregate disposable earnings subject to garnishment to enforce an order for support for any workweek shall not exceed (1) where such individual is supporting his spouse or dependent child, other than a spouse or child with respect to whose support such order is used, 50% of such individual's disposable earnings for that week; and (2) where such individual is not supporting such a spouse or dependent child, 60% of such individual's disposable earnings for that week; except that with respect to the disposable earnings of any individual for any workweek, the 50% specified in (1) shall be deemed to be 55% and the 60% specified in (2) shall be deemed to be 65%, if and to the extent that such earnings are subject to garnishment to enforce a support order with respect to a period which is prior to the 12-week period which ends with the beginning of such work week (Ida Code, Sec. 11-207; and Sec. 11-712, added by Ch. 303 (S. 1202), L. 2017, effective July 1, 2017).

The maximum part of the aggregate disposable earnings of an individual for any workweek that is subject to garnishment to enforce payment of a judgment arising from a regulated consumer credit sale or regulated consumer loan may not exceed the lesser of 25% of disposable earnings for that week or the amount by which disposable earnings for that week exceed 30 times the federal minimum hourly wage (Ida Code, Sec. 28-45-104).

Public employers: Moneys due or owing by the state to any person, except an elective official, are subject to garnishment (Ida Code, Sec. 11-202; **Note**, this provision is repealed July 1, 2017, by ch. 303 (S. 1202), L. 2017).

State government: Debts, moneys and credits due or owing by the state to any person (except an elective official of the state) shall be subject to execution and garnishment after final judgment against such person for the satisfaction of such judgment by service by the sheriff of the debtor's county of residence in Idaho, upon the state controller of a copy of the writ of execution and a notice of garnishment signed by such officer in duplicate. The state controller shall pay, in the usual manner provided by law to the officer serving said writ of execution and notice of judgment, the amount necessary to satisfy said judgment excluding any exemption as provided by law. The officer's receipt therefor shall be a sufficient release of the state of Idaho and the state controller, of said claim of such person (Ida Code, Sec. 11-718, added by Ch. 303 (S. 1202), L. 2017, effective July 1, 2017).

"Earnings" means compensation for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments under a pension or retirement program. "Disposable earnings" means that part of the earnings of any individual remaining after deductions required by law. For purposes of Title 11, Chapter 7, disposable earnings does not include amounts due to or received by a taxpayer in the form of an Idaho income tax refund (Ida Code, Sec. 11-206; Sec. 11-701, added by Ch. 303 (S. 1202), L. 2017, effective July 1, 2017).

Illinois

Private and public employers: *Assignment of wages.* The maximum amount of wages, salary, commissions and bonuses that may be collected by an assignee for any workweek may not exceed the lesser of (1) 15% of the gross amount paid or (2) the amount by which disposable earnings for the week exceed 45 times either the federal or state minimum hourly wage rate, whichever is greater (740 ILCS 170/4). *Wage deduction orders.* The amount of wages, salary, commissions and bonuses subject to collection under a deduction order for any workweek is the lesser of (1) 15% of the gross amount paid for the week or (2) the amount by which disposable earnings for the week exceed 45 times either the federal or state minimum hourly wage rate, whichever is greater (735 ILCS 5/12-803, as last amended by Public Act 96-661 (S.B. 229), L. 2007, effective January 1, 2008).

Indiana

Private and public employers: The maximum part of an employee's aggregate disposable earnings subject to garnishment for any workweek may not exceed the lesser of the following amounts: (1) an amount subject to 25% of the individual's disposable earnings for that week or, upon a showing of good cause by the individual why the amount should be reduced, an amount equal to (a) less than 25% and (b) at least 10% of the individual's disposable earnings for that week; (2) the amount by which the individual's disposable earnings for that week exceed 30 times the federal minimum hourly wage, whichever is less. Earnings for a pay period other than a week must be computed on a multiple of the federal minimum wage. These limits do not apply to garnishments for support (Ind Code, Sec. 24-4.5-5-105, as amended by P.L. 78-2014 (H. 1347), L. 2014). A county sheriff who has the duty to collect a tax warrant can garnish a debtor's wages to make a collection (Ind Code, Sec. 6-8.1-8-3).

Iowa

Private and public employers: The disposable earnings of an individual are exempt from garnishment to the extent of federal limits. Limits are also set on the maximum amount of an employee's earnings that may be garnished for each judgment creditor during any one calendar year. If annual earnings are expected to be less than \$12,000, the annual garnishment allowed for each creditor is \$250. For earnings of \$12,000 or more but less than \$16,000, the limit is \$400. For earnings of \$16,000 or more but less than \$24,000, the limit is \$800. For earnings of \$24,000 or more but less than \$35,000, the limit is \$1,500. For earnings of \$35,000 or more but less than \$50,000, the limit is \$2,000. Ten percent of earnings of \$50,000 or more may be garnished by a single creditor (Iowa Code, Sec. 642.21). The maximum part of an individual's aggregate disposable earnings for any workweek that is subjected to garnishment to enforce a consumer credit judgment may not exceed the lesser of 25% of his disposable earnings for that week or an amount by which his disposable earnings for that week exceed 40 times the federal minimum wage (Iowa Code, Sec. 537.5105). Unpaid taxes create a 10-year lien in favor of the state on all real and personal property of the debtor. No property of a debtor is exempt from the payment of such tax (Iowa Code, Sec. 422.26). If the party in whose favor the order for the support of a spouse was rendered has not remarried, the personal earnings of the debtor are not exempt from an order for temporary or permanent support of a spouse (Iowa Code, Sec. 627.11). Likewise, personal earnings are not exempt from a child support order (Iowa Code, Sec. 627.12). A debtor will not be permitted to claim exemptions with regard to payment or a portion of payment under a pension, annuity, individual retirement account, profit-sharing plan, universal life insurance policy, or similar plan or contract due to illness, disability, death, age, or length of service for child, spousal, or medical support. Also, if another provision of law otherwise provides that payments, income, or property are subject to attachment for child, spousal, or medical support, those provisions supersede Section 627.6 (Iowa Code, Sec. 627.6A). For the purposes of enforcing child, spousal, or medical support obligations, workers compensation benefits are not exempt but are limited as specified in 15 U.S.C. § 1673(b) (Iowa Code, Sec. 627.13).

Kansas

Private and public employers: The maximum part of disposable earnings that may be garnished may not exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage. The limits for child support are higher (Kan StatAnn, Sec. 60-2310).

Kentucky

Private and public employers: The maximum part of disposable earnings that is subject to garnishment in any workweek may not exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage. These limits do not apply to garnishment orders for support (Ky RevStatAnn, Sec. 427.010).

Public employers: Salaries or sums due state, county, city, and school board officers and employees are also subject to garnishment (Ky RevStatAnn, Sec. 427.130).

Louisiana

Private and public employers: 75% of disposable earnings for any week are exempt from garnishment, but in no case shall this exemption be less than an amount equal to 30 times the federal minimum hourly wage. However the exemption for child support is 50-60% of disposable earnings.

Public employers: The state waives any immunity from suit for itself, its agencies, boards, commissions, political subdivisions, public corporations, and municipal corporations insofar as the garnishment of the nonexempt wages, salaries, commissions, or other compensation of elected or appointed public officials, public employees, or contractors is concerned (La RevStatAnn, Sec. 13:3881).

Maine

Private and public employers: As far as consumer credit transactions are concerned, the maximum part of disposable earnings that is subject to garnishment in any workweek to enforce payment of a judgment arising from a consumer credit transaction may not exceed the lesser of: (a) 25% of disposable earnings for that week; and (b) the amount by which disposable earnings for the week exceed 40 times the federal minimum hourly wage (29 U.S.C. 206(a)(1) or the state minimum wage (title 26, Sec. 664), whichever is higher, in effect at the time the earnings are payable (Currently, Maine's minimum wage at \$7.50 per hour is higher than the federal rate of \$7.25 per hour; therefore, for purposes of calculating disposable earnings, 40 times the state minimum wage of \$7.50 per hour (\$300) would apply. In the case of earnings for a pay period other than a week, the administrator (Superintendent of the Bureau of Financial Institutions or of the Bureau of Consumer Credit Information) shall prescribe by rule a multiple of the minimum hourly wage that is equivalent in effect (Me RevStatAnn, Tit. 9-A, Sec. 5-105). The above figures apply to the maximum part of disposable earnings that is subject to garnishment in any workweek. However, these amounts are increased in the case of any support withholding order (Me RevStatAnn, Tit. 14, Sec. 3126-A).

Maryland

Private and public employers: The larger of the product of \$145 multiplied by the number of weeks in which the wages due were earned or 75% of disposable wages due is exempt from garnishment. However, in Caroline, Kent, Queen Anne's, and Worcester Counties, the larger of 75% of disposable wages due or 30 times the federal minimum wage is exempt from garnishment. Any medical insurance payment deducted from an employee's wages by the employer is exempt (Md CodeAnn, ComLaw, Sec. 15-601.1).

Massachusetts

Private and public employers: Wages equal to the greater of 85 percent of the debtor's gross wages or 50 times the greater of the federal or the Massachusetts hourly minimum wage for each week or portion thereof are exempt from seizure (Mass GenLawsAnn, Ch. 235, Sec. 34, as amended by Ch. 431 (S. 2557), L. 2010, effective April 7, 2011). For trustee process, for wages attached for a debt or claim, an amount not exceeding the greater of 85 percent of the debtor's gross wages or 50 times the greater of the federal or the Massachusetts hourly minimum wage for each week or portion thereof out of the wages due each week are exempt from attachment. Except as otherwise permitted by law, amounts held by a trustee for a defendant in a pension are exempt from attachment. However, proceedings to attach wages or a pension to satisfy a divorce, separate maintenance or child support through a court order are subject to federal limitations (Mass GenLawsAnn, Ch. 246, Sec. 28, as amended by Ch. 431 (S. 2557), L. 2010, effective April 7, 2011). Employers summoned as trustees may retain all demands against an employee as if they had not been summoned (Mass GenLawsAnn, Ch. 246, Sec. 26).

Michigan

Public employers: Except as otherwise provided by court rule, the state and every governmental unit therein, including but not limited to a public, municipal, quasi-municipal, or governmental corporation, public body or political subdivision may be proceeded against in the same manner as individuals (Mich Complaws, Sec. 600.4011).

Minnesota

Private and public employers: Except for child support, the maximum part of disposable earnings subject to garnishment may not exceed the lesser of (1) 25% of the employee's disposable earnings or (2) the amount by which disposable earnings exceed 40 times the federal minimum hourly wage times the number of weeks in the pay period. When a pay period consists of other than a whole number of workweeks, each day will be counted as a fraction of a workweek equal to the number of excess workdays divided by the number of days in a normal workweek (Minn Stat, Secs. 550.136; 551.06; and 571.922). For delinquent taxes, employers must withhold the total amount of taxes due (Minn Stat, Sec. 290.92).

Mississippi

Private and public employers: Wages are not subject to garnishment for 30 days from the date of service. After the passage of the 30-day period, the maximum part of the aggregate disposable earnings that may be subject to garnishment in any workweek is the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage. These limits do not apply to support orders (Miss CodeAnn, Sec. 85-3-4). Wages owed to an employee at the time a garnishment order is served are not subject to garnishment where the amount of the judgment is less than \$100. This rule does not apply to liens owed to the state (Miss CodeAnn, Sec. 11-35-23).

Missouri

Private and public employers: The maximum part of disposable earnings that is subject to garnishment in any workweek, after deductions required by law, may not exceed the lesser of (a) 25% of disposable earnings for the week, (b) the amount by which disposable earnings for the week exceed 30 times the current federal minimum hourly wage (\$154.50 is 30 times the current federal minimum wage rate of \$5.15 per hour), or (c) if an employee is the head of a family, 10% of disposable earnings (Mo RevStat, Sec. 525.030).

Montana

Private and public employers: The maximum part of disposable earnings for any workweek that is subject to garnishment in any workweek may not exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage (Mont CodeAnn, Sec. 25-13-614). Earnings remain exempt for 45 days after receipt by and while in the possession of the employee in a form into which they are traceable (i.e., a bank or savings account) (Mont CodeAnn, Sec. 25-13-610). In any action in which the amount sued for is \$10 or less, the wages of an employee for personal services rendered within 30 days before the commencement of the action are exempt (Mont CodeAnn, Sec. 27-18-102).

Nebraska

Private and public employers: Prior to final judgment in an action, no order of garnishment shall issue for wages due from an employer to an employee (Neb RevStat, Sec. 25-1010). The maximum part of aggregate disposable earnings that is subject to garnishment in any workweek may not exceed the lesser of 25% of disposable earnings for the week, or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage, or 15% of disposable earnings for the week if the employee is a head of family. These restrictions do not apply to any order for the support of any person (Neb RevStat, Sec. 25-1558).

Nevada

Private and public employers: The maximum part of disposable earnings that is subject to garnishment may not exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 50 times the federal minimum hourly wage. The limits are higher for child support orders (Nev RevStat, Sec. 21.090, as amended by Ch. 290 (S.B. 173), L. 2005, eff. 7-1-05).

New Hampshire

Private and public employers: Wages for labor performed after service of a writ are exempt from trustee process. Wages earned before service of a writ are exempt except in actions founded upon a debt on a judgment issued by a state court. In such a case, the wages earned before service of a writ founded upon a debt on a judgment to the amount of 50 times the federal minimum wage will be exempt (NH RevStatAnn, Sec. 512:21).

Unemployment compensation overpayments. Effective August 10, 2012, the Department of Employment Security may garnish the wages of individuals with delinquent unemployment compensation benefits. The amount withheld, along with any fee added and retained, may not exceed 25 percent of the individual debtor's weekly disposable earnings or the amount by which the debtor's weekly disposable earnings exceed 50 times the federal minimum hourly wage, whichever is less. Garnishment is binding upon the employer until payment in full is made, and the employer must send the garnished amount to the commissioner at the same time the individual debtor is paid. Garnishment may also be by court order, issued by any circuit court district division, in an amount deemed appropriate by the court (NH RevStat, Sec. 282-A:164, added by Ch. 176 (H.B. 1579), L. 2012, enacted June 11, 2012).

Public employers: The wages of any state official or employee or any county, city, town, or school district official are subject to trustee process (NH RevStatAnn, Secs. 512:9 and 512:9-a). All income earned by an employee at the Portsmouth Naval Shipyard is exempt (NH RevStatAnn, Sec. 524:12).

New Jersey

Private and public employers: Wages, earnings, or salary of less than \$48 a week owing to an employee are not liable to be seized or taken in any execution, civil process, or order. If earnings amount to \$48 or more a week, not more than 10% may be taken unless the employee's income exceeds \$7,500 per annum, in which case the court may order a larger percentage (NJ StatAnn, Sec. 2A:17-57).

New Mexico

Private and public employers: The larger of 75% of an employee's disposable earnings for any pay period or an amount equal to 40 times the federal minimum wage is exempt from garnishment (NM StatAnn, Sec. 35-12-7).

New York

Private and public employers: Where a judgment debtor is receiving or will receive money from any source, an income execution for installments of not more than 10% of that may be issued and delivered to the sheriff of the county in which the judgment debtor resides or, where the judgment debtor is a nonresident, the county in which he is employed. However, (i) nothing shall be withheld from the judgment debtor's earnings pursuant to an income execution for any week unless the disposable earnings of the judgment debtor for that week exceed the greater of 30 times the federal minimum hourly wage prescribed in the Fair Labor Standards Act of 1938 or 30 times the state minimum hourly wage prescribed in Section 652 of the labor law as in effect at the time the earnings are payable; (ii) the amount withheld from the judgment debtor's earnings pursuant to an income execution for any week shall not exceed 25% of the disposable earnings of the judgment debtor for that week, or, the amount by which the disposable earnings of the judgment debtor for that week exceed the greater of 30 times the federal minimum hourly wage prescribed by the Fair Labor Standards Act of 1938 or 30 times the state minimum hourly wage prescribed in Section 652 of the labor law as in effect at the time the earnings are payable, whichever is less; (iii) if the earnings of the judgment debtor are also subject to deductions for alimony, support or maintenance for family members or former spouses pursuant to Section 5241 or Section 5242 of this article, the amount withheld from the judgment debtor's earnings shall not exceed the amount by which 25% of the disposable earnings of the judgment debtor for that week exceeds the amount deducted from the judgment debtor's earnings in accordance with Section 5241 or Section 5242 of this article. Nothing in this provision shall be construed to modify, abrogate, impair, or affect any exemption from the satisfaction of a money judgment otherwise granted by law (NY CPLR, Sec. 5231(b), as amended by Ch. 575, L. 2008, effective January 1, 2009).

North Carolina

Private and public employers: The earnings of an employee for personal services at any time within 60 days preceding an order of execution are exempt from garnishment if the earnings are necessary for the support of his family (NC GenStat, Sec. 1-362). In answer to a summons, employers may assert any claims they have against the employee (NC GenStat, Sec. 1-440.28).

North Dakota

Private and public employers: An employee's earnings for personal services at any time within 60 days preceding a withholding order may be exempted upon proof that such earnings are necessary for the support of a family (ND CentCode, Sec. 28-25-11). The maximum amount subject to garnishment for any workweek cannot exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 40 times the federal minimum hourly wage. The maximum amount subject to garnishment for any workweek must be reduced by \$20 for each dependent residing with the employee, if the employee provides a list signed under penalty of perjury by the garnishment debtor, of their names and social security numbers within 10 days after receipt of a summons. These limits do not apply to child support (ND CentCode, Sec. 32-09.1-03, as amended by H.B. 1211, L. 2007).

Ohio

Private and public employers: From personal earnings owed an employee for services rendered within 30 days before the issuance of an attachment or other process, the larger of 75% of disposable earnings or 30 times the federal minimum wage if paid weekly (60 times if paid biweekly; 65 times if paid semi-monthly; 130 times if paid monthly) is exempt. In the case of a judgment for health care services, from personal earnings for services rendered within 30 days before issuance of an attachment or other order, the larger of 88% of disposable earnings or 30 times the federal minimum wage if paid weekly (60 times if paid biweekly; 65 times if paid semi-monthly; 130 times if paid monthly) is exempt (Ohio RevCodeAnn, Sec. 2329.66).

Oklahoma

Private employers: Wages are exempt from garnishment issued before judgment of a trial court, except as provided for support in a divorce proceeding. Seventy-five percent of all earnings during the last 90 days are exempt, except for child support (Okla Stat, Tit. 12, Sec. 1171.1; and Okla Stat, Tit. 31, Sec. 1). The maximum part of aggregate disposable earnings that is subject to garnishment for a consumer credit sale, lease, or loan may not exceed the lesser of 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage (Okla Stat, Tit. 14A, Sec. 5-105).

Public employers: Officers or employees of a state, county, or municipality are entitled to the same exemptions allowed private sector officers or employees (Okla Stat, Tit. 12, Sec. 1192).

Oregon

Private and public employers: No more than 25 percent or as otherwise provided. Except as otherwise provided, 75 percent of the disposable earnings of an individual are exempt from execution. The disposable earnings of an individual are exempt from execution to the extent that payment under a garnishment would result in net disposable earnings of less than the following amounts: (a) \$218 for any period of one week or less, (b) \$435 for any two-week period, (c) \$468 for any half-month period, (d) \$936 for any one-month period, and (e) for any other period longer than one week, \$218 multiplied by the fraction produced by dividing the number

of days for which earnings are paid by seven (amount must be rounded to the nearest dollar). If an individual is paid for shorter than one week, the exemption calculated may not exceed \$218 for any one-week period. Where there is an order to withhold child support for the same time period, the employer is to make a payment under a garnishment only of those amounts remaining after the child support deduction is made (Or RevStat, Sec. 18.385, as amended by Ch. 228 (H.B. 2682), L. 2011, effective June 2, 2011).

Pennsylvania

Private and public employers: Wages, salaries, and commissions of an employee are exempt from attachment while in the hands of the employer, except in actions for: divorce, support, board for 4 weeks or less, or actions under the Pennsylvania Higher Education Assistance Act. Wages are also subject to garnishment for damages awarded to a landlord arising out of a residential lease, but not more than 10% of the net wages per pay period may be garnished (Pa ConsStatAnn, Sec. 8127).

Puerto Rico

Private and public employers: Three-fourths of the earnings of an employee for personal services rendered at any time within 30 days immediately preceding a levy of execution or attachment are exempt from garnishment if such earnings are necessary for the use of his family supported wholly or partly by him (PR LawsAnn, Tit. 32, Sec. 1130).

Rhode Island

Private and public employers: Up to \$50 of salary or wages due and payable to any other debtor are exempt from attachment (RI GenLaws, Sec. 9-26-4).

Public employers: The wages or salaries of any employee of the state or of any city, town, or other municipal or quasi-governmental corporation may be levied on by attachment of any warrant of distress or any other writ or execution, original, mesne, or judicial (RI GenLaws, 9-26-34).

South Carolina

Private and public employers: Any property of a judgment debtor not exempt from execution may be ordered to be applied toward the satisfaction of the judgment (SC CodeAnn, Sec. 15-41-410). For delinquent taxes, the State Tax Commission may serve employers with a notice to withhold up to 25% of an employee's wages for state taxes owed. However, if an employee terminates his employment, employers must withhold the full amount of taxes owed to the state from wages due (SC CodeAnn, Sec. 12-54-130). The exemption for a disability benefit does not apply with regard to a levy or execution of a judgment authorized by Section 17-25-323 or Section 17-25-325 (SC CodeAnn, Sec. 15-41-33).

South Dakota

Private and public employers: The maximum part of the aggregate disposable earnings of a wage earner for any workweek that is subject to garnishment may not exceed the lesser of: (1) 20% of disposable earnings for that week; or (2) the amount by which disposable earnings for that week exceed 40 times the current federal minimum hourly wage prescribed by 29 U.S.C. 206(a)(1) as amended and in effect on July 24, 2009, or, effective July 1, 2016, the applicable state minimum wage if greater, or any equivalent multiple thereof prescribed by regulation by the secretary of labor in case of earnings for any pay period other than a week, in effect at the time the earnings are payable, less \$25 per week for each dependent family member residing with the employee other than the employee/garnishment debtor himself or herself. The restrictions of subdivisions (1) and (2) do not apply in the case of any order of any court for the support of any person or any order of any court of bankruptcy under Title 11 of the United States Code (SD CodifiedLaws, Sec. 21-18-51, as amended by H.B. 1059, L. 2016).

The maximum part of disposable earnings for any workweek that is subject to garnishment to enforce a support order may not exceed: (1) If the individual is supporting a spouse or dependent child other than a spouse or child with respect to whose support the order is used, 50% percent of the individual's disposable earnings for that week; or (2) If the individual is not supporting another spouse or dependent child, 60% percent of disposable earnings for that week; except that with respect to the disposable earnings of an individual for any workweek, the 50% percent specified in subdivision (1) will be 55% and the 60% specified in subdivision (2) will be 65%, if the earnings are subject to garnishment to enforce a support order for a period that is prior to the 12-week period that ends with the beginning of the workweek (SD CodifiedLaws, Sec. 21-18-52).

Tennessee

Private and public employers: The maximum part of disposable earnings that is subject to garnishment in any workweek may not exceed 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage, whichever is less. For pay periods other than weekly, an equivalent amount is exempt (Tenn CodeAnn, Sec. 26-2-106). There is an additional exemption of \$2.50 per week allowed for each dependent child under age 16 residing in the state, provided the employee informs the employer of each dependent child claimed (Tenn CodeAnn, Sec. 26-2-107). Personal earnings are not exempt from any order for support (Tenn CodeAnn, Sec. 26-2-108).

Upon the garnishment of earnings due from a garnishee employer, the garnishee shall: (1) Pay the judgment debtor the amount of such debtor's exempt earnings; (2) Submit as a part of the judgment debtor's answer to the garnishment a statement of the judgment debtor's dependent children under 16 years of age who are residents of this state; and (3) Furnish the judgment debtor with a copy of the garnishment summons containing the notice of the judgment debtor's right to the exemptions from wage garnishment specified in federal law and in Sections 26-2-106 and 26-2-107 (above) of the right to apply to the court for an order staying further garnishment and allowing the judgment debtor to pay the judgment in installments, and of procedures the judgment debtor can follow to contest the garnishment. To the extent of the amount due upon the judgment and costs, the garnishee shall hold, subject to the order of the court, any non-exempt earnings due or that subsequently become due. The judgment or balance due is a lien on earnings due at the time of the service of the execution. The lien shall continue as to subsequent earnings until the total amount due upon the judgment and costs is paid or satisfied, or until the expiration of the payment period immediately prior to 6 calendar months after service of the execution, whichever occurs first. The lien on subsequent earnings shall terminate sooner if the relationship between judgment debtor and garnishee is terminated or if the underlying judgment is vacated or modified. Nothing in this section with respect to the relationship between the judgment debtor and the garnishee shall be construed to affect the underlying relationship of the parties, including, but not limited to, the relationship of employer-employee or the independent contractor relationship as otherwise provided by law (Tenn CodeAnn, Sec. 26-2-214, amended by Ch. 851 (H.B. 1775), L. 2016, effective September 1, 2016)..

Public employers: Generally, garnishment of compensation due from the state to contractors or vendors of the state is permissible; however, garnishments are not permissible where the state determines that payment of such would result in an interruption of essential state services (Tenn CodeAnn, Sec. 26-2-221).

Texas

Private and public employers: Current wages for personal services are not exempt for the enforcement of court-ordered child support or spousal maintenance payments (Tex CivPrac&RemCodeAnn, Sec. 63.004, and Tex Const, Art. 16, Sec. 28). Contributions to an individual retirement account, other than contributions to a Roth IRA described in Section 408A, Internal Revenue Code of 1986, or an annuity that exceed the amounts deductible under the applicable provisions of the Internal Revenue Code of 1986 and any accrued earnings on such contributions are not exempt under this section unless otherwise exempt by law (Tex PropCodeAnn, Sec. 42.0021).

Utah

Private and public employers: The maximum amount that is subject to garnishment is 25% of an employee's disposable earnings in a pay period or the amount by which the employee's aggregate disposable earnings for the week exceed 30 times the federal minimum hourly wage, whichever is less. Limits for child support garnishments are 50% of the defendant's disposable earnings (Utah CodeAnn, Sec. 70C-7-103 and URCP, Rule 64D).

Vermont

Private and public employers: Seventy-five percent of an employee's weekly disposable earnings or 30 times the federal minimum wage, whichever is less, is exempt from garnishment. However, if the court finds that the weekly expenses reasonably incurred by the employee for maintenance for himself and his dependents exceed the exempted amounts above, the court may exempt a larger amount. If the debt arose from a consumer credit transaction, 85% of an employee's weekly disposable earnings or 40 times the federal minimum wage, whichever is larger, will be exempt (Vt StatAnn, Tit. 12, Sec. 3170).

Public employers: The state may be summoned as a trustee (Vt StatAnn, Tit. 12, Sec. 3013).

Virginia

Private and public employers: In calculating the maximum garnishment amount for ordinary debt against weekly earnings, if the amount of weekly disposable earnings equals 40 times the federal minimum hourly wage rate or less, nothing may be withheld for garnishment. If the weekly disposable earnings exceed 40 times the federal minimum hourly wage rate, the maximum amount of disposable earnings that can be withheld for garnishment must be either 25% of the weekly disposable earnings or the amount by which disposable earnings for the week exceed 40 times the federal minimum hourly wage rate, whichever is less, so long as the amount withheld does not reduce weekly disposable earnings below 40 times the federal minimum hourly wage rate. Effective as of July 24, 2009, the federal minimum wage rate is \$7.25 per hour and 40 times the federal minimum wage rate is \$290; As an example, if the weekly disposable earnings are less than or equal to \$290, nothing may be withheld for garnishment. In calculating the maximum amount which may be withheld for garnishment from biweekly, semimonthly, or monthly earnings, the maximum amount which may be withheld is to be calculated in the same manner as for weekly earnings, except that corresponding weekly amounts must be multiplied by 2 for biweekly earnings, by 2.16665 for semimonthly earnings, and by 4.33330 for monthly earnings. Where earnings are for more than one month, the maximum amount which may be withheld for garnishment for work periods in

excess of one month must be calculated in the same manner as for weekly earnings except that the corresponding weekly amounts must be multiplied by the number of weeks worked; To calculate the number of weeks worked, divide the total number of days in the period worked by 7, calculated to 4 decimal places (Va CodeAnn, Secs. 34-29 and 8.01-512.3, as amended by Ch. 36 (H. 1646) and Ch. 143 (S. 1333), L. 2017; Va AdminCode, tit. 16, Secs. 15-21-20 and 15-21-30). However, these definitions do not apply to support orders (Va CodeAnn, Sec. 34-29).

No more than 25% of disposable earnings in any pay period may be garnished to satisfy an ordinary debt. Garnishment for an ordinary debt may not reduce disposable earnings for a week to an amount less than the federal minimum hourly wage rate times 40; may not reduce disposable biweekly earnings to an amount less than the federal minimum hourly wage rate times 40 times 2; may not reduce disposable semimonthly earnings to an amount less than the federal minimum hourly wage rate times 40 times 2.16665; may not reduce disposable monthly earnings to an amount less than the federal minimum hourly wage rate times 40 times 4.33330; and may not reduce disposable earnings for a period of more than a month to an amount less than the federal minimum hourly wage rate times 40 times the number of weeks worked (Va AdminCode, tit. 16, Sec. 15-21-20). For delinquent state taxes, 100% of earnings are subject to garnishment (Va CodeAnn, Sec. 8.01-512.3 and Sec. 34-3).

Public employers: The wages and salaries of all state employees other than state officers are subject to garnishment (Va CodeAnn, Sec. 8.01-522). The wages and salaries of all officials, clerks, and employees of any city, town, or county are subject to garnishment (Va CodeAnn, Sec. 8.01-524).

Washington

Private and public employers: The larger of 35 times the federal minimum hourly wage or 75% of disposable earnings is exempt from garnishment. For garnishment based on judgments or orders for child support or court orders for spousal maintenance support, other than a mandatory wage assignment order, or a mandatory assignment of retirement benefits, the exemption is 50 percent of disposable earnings (Wash RevCodeAnn, Sec. 6.27.150, as amended by Ch. 159 (H. 1552)). The total amount withheld on all payroll deduction notices for payment of court-ordered legal financial obligations combined cannot exceed 25% of the offender/employee's disposable earnings (Wash RevCodeAnn, Sec. 9.94A.7603). No property can be exempt from legal process for any tax levied on it (Wash RevCodeAnn, Sec. 6.15.050). The earnings of a work-release participant are subject to garnishment only for payment of a court-ordered legal financial obligation (Wash RevCodeAnn, Sec. 72.65.060). The right to a pension, annuity, retirement or disability allowance, death benefit, or any other right accruing under any employee benefit plan (including a Roth IRA) is subject to garnishment solely for payment of child support (Wash RevCodeAnn, Sec. 6.15.020).

Public employers: Law enforcement officers' and fire fighters' rights to a retirement or disability allowance, death benefit, accumulated contributions, or any other benefit are subject to garnishment only for child support orders and other orders mandated by law (Wash RevCodeAnn, Sec. 41.26.053). The same holds true for state employees' and teachers' rights to a pension, an annuity, a retirement or disability allowance, to the return of contributions, optional or death benefit, or any other right accrued or accruing (Wash RevCodeAnn, Secs. 41.40.052 and 41.32.052), and for state troopers' rights to a retirement allowance or optional retirement allowance (Wash RevCodeAnn, Sec. 43.43.310).

West Virginia

Private and public employers: A judgment creditor may apply to the court in which judgment was recovered or a court having jurisdiction of the same, without notice to the judgment debtor, for a suggestee execution against any money due or to become due within 1 year after issuance of such execution to the judgment debtor as salary or wages, provided satisfactory proof of the facts is made and the amount due or to become due as salary or wages after the deduction of all state and federal taxes exceeds in any week 50 times the federal minimum hourly wage. The execution and the expenses become a lien and continuing levy upon the salary or wages due or to become due to the judgment debtor within 1 year after the issuance of the execution, unless satisfied, vacated or modified sooner; Such amount shall not exceed 20% of of the salary or wages due the judgment debtor or reduce the amount payable/received per week to an amount less than 50 times the federal minimum hourly wage then in effect (WVa Code, Secs. 38-5A-3 and 38-5B-2, amended by S.B. 261, L. 2017).

For consumer credit transactions, the maximum part of disposable earnings subject to garnishment in any workweek subject to garnishment to enforce payment of a judgment arising from a consumer credit card sale or a consumer loan may not exceed the lesser of: (1) 20% of his or her disposable earnings for that week or (2) the amount by which his or her disposable earnings for that week exceed 50 times the federal minimum hourly wage prescribed by section 6(a)(1) of the "Fair Labor Standards Act of 1938," U.S.C. Title 19, Sec. 206(a)(1), in effect at the time the earnings are payable. In the case of earnings for a pay period other than a week, the commissioner is to prescribe by rule a multiple of the federal minimum hourly wage equivalent in effect to that set forth in (2) above. The consumer may petition any court having jurisdiction over such matter or in the circuit court where he or she resides to reduce or temporarily or permanently remove the execution on his or her earnings on the grounds of undue hardship.

Support payments have priority over such consumer credit garnishments (WV Code, Sec. 46A-2-130, amended by H.B. 4417, L. 2016).

Wages are subject to levy for payment of delinquent taxes (WVa Code, Sec. 11-10-13).

An execution against salary or wages becomes a lien and continuing levy upon sums due or to become due as salary or wages in an amount equal no more than 20%, but in no event shall the payments reduce the amount payable to the judgment debtor to less than \$20 per week (WVa Code, Sec. 38-5B-3).

Wisconsin

Private and public employers: Eighty percent of an employee's disposable earnings are exempt. However, child support, bankruptcy and any debt due for state or federal tax are not exempt (Wis Stat, Sec. 812.34). For consumer credit transactions, 80% of an employee's earnings remaining after all deductions required by law are exempt (Wis Stat, Sec. 425.106). If an employee's earnings are subject to support withholding, then a creditor will not be entitled to more than 25% of the employee's disposable earnings, less the support amount deducted (Wis Stat, Sec. 812.37). Wages of inmates gainfully employed under the state work-release program will be disbursed for payment of the crime victim and witness assistance surcharge; support of the prisoner's dependents, if any; and payment, either in full or ratably, of the prisoner's obligations acknowledged by him in writing or those that have been reduced to judgment (Wis Stat, Sec. 303.065).

Wyoming

Private and public employers: The maximum part of disposable earnings that is subject to garnishment in any workweek may not exceed 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage, whichever is less (Wyo StatAnn, Secs. 1-15-408 and 1-15-511). For consumer credit transactions, the maximum part of disposable earnings that is subject to garnishment in any workweek may not exceed 25% of disposable earnings for the week or the amount by which disposable earnings for the week exceed 30 times the federal minimum hourly wage, whichever is less (Wyo StatAnn, Sec. 40-14-505).