

**SENATE BILL NO. 2162**

Introduced by

Senators Wardner, Trenbeath

Representatives Herbel, Kretschmar

1 A BILL for an Act to amend and reenact section 32-09.1-04 of the North Dakota Century Code,  
2 relating to notice of renewal of garnishment of earnings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 32-09.1-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **32-09.1-04. Notice before garnishment of earnings - Notice of renewal of**  
7 **garnishment of earnings.**

8 1. At least ten days before the issuance of any garnishee summons against the  
9 earnings of any person, the creditor shall serve upon the debtor a notice that a  
10 garnishee summons may be issued. The notice must be served personally or by  
11 first-class mail. Failure to serve the notice renders any subsequent garnishment  
12 void. The notice must be in substantially the following form:

13 To: \_\_\_\_\_ Date: \_\_\_\_\_

14 Judgment Debtor

15 Please take notice that a garnishee summons that will require  
16 part of your wages to be withheld may be served upon your employer,  
17 without any further court proceedings or notice to you, at any time after  
18 ten days following the date of this notice. For each dependent family  
19 member residing with you, the amount subject to garnishment for any  
20 workweek may be reduced by twenty dollars, if within ten days after  
21 receipt of the garnishee summons you provide to your employer a  
22 verified list of the dependent family members residing with you and their  
23 social security numbers, if any. You may wish to contact the

1 undersigned judgment creditor or attorney to arrange for the settlement  
2 of the debt, which is \$\_\_\_\_\_.

3 \_\_\_\_\_  
4 Judgment Creditor  
5 Address

6 2. As an alternative to subsection 1, if a creditor renews an expiring continuing lien on  
7 wages under section 32-09.1-21, at least ten days but no more than twenty days  
8 before the expiration of the continuing lien on wages, the creditor may serve upon  
9 the debtor a notice that a garnishee summons may be reissued. The notice must  
10 be served personally or by first-class mail. Failure to serve the notice renders any  
11 subsequent garnishment void. The notice must be in substantially the following  
12 form:

13 To: \_\_\_\_\_ Date: \_\_\_\_\_

14 Judgment Debtor

15 Please take notice that a garnishee summons that will require  
16 part of your wages to be withheld may be served upon your employer  
17 without any further court proceedings or notice to you. This action is a  
18 renewal of the current garnishment order for this case. For each  
19 dependent family member residing with you, the amount subject to  
20 garnishment for any workweek may be reduced by twenty dollars, if  
21 within ten days after receipt of the garnishee summons you provide to  
22 your employer a verified list of the dependent family members residing  
23 with you and their social security numbers, if any. You may wish to  
24 contact the undersigned judgment creditor or attorney to arrange for the  
25 settlement of the debt, which is \$\_\_\_\_\_ .

26 \_\_\_\_\_  
27 Judgment Creditor  
28 Address