

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

955N0718

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1231 - 02/12/2007

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Cutler, Engels, Feinstein, Gillespie, Halverson, Krebs, and Lust and Senators Knudson and Turbak

1 FOR AN ACT ENTITLED, An Act to exempt certain wages from claims in bankruptcy.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 43-45-14 be amended to read as follows:

4 43-45-14. ~~The~~ For purposes of garnishment, the earnings of a debtor are exempt from
5 process or levy only to the extent provided in §§ 21-18-51 ~~and 21-18-52~~ to 21-18-53, inclusive.

6 For the purposes of a petition filed pursuant to 11 U.S.C. § 301 et. seq. only, a debtor's claimed
7 exemptions may include earned, but unpaid earnings, whether or not such earnings have been
8 garnished, subject to the limits of § 43-45-4 and provisions of 11 U.S.C. § 547.

