

HB 275 -- PROPERTY EXEMPT FROM ATTACHMENT AND EXECUTION

SPONSOR: Roberts

The bill exempts a person's interest in property from attachment and execution as follows:

(1) Household furnishings, apparel, appliances, books, animals, crops, or musical instruments, held for personal, family, or household use from the current amount of \$3,000 to \$15,000 in value in the aggregate;

(2) Jewelry held for personal, family or household use from the current amount of \$500 to \$1,500 in value in the aggregate;

(3) Any property of any kind from the current amount of \$600 to \$1,500 in the aggregate;

(4) Any motor vehicles from the current amount of \$3,000 to \$5,000 with the exception that the amount may be increased to the unused amount allowed for household furnishings, etc. listed in (1) above, not to exceed an additional \$10,000;

(5) A mobile home used as a residence, from the current amount of \$5,000 to \$10,000.

The bill amends the current amount of homestead allowed of every person, from the current aggregate value of \$15,000 to \$30,000.

This bill establishes a separate section outlining a process to garnish accounts at an institution, defined to mean a federally insured bank, savings bank, savings and loan association or credit union. Under the bill, orders of garnishment must be attached to only the funds held by the institution on the date of service, which must be one banking day, and service needs to be made prior to the institution's cutoff time. The bill specifies requirements on what should be included in the orders of garnishment relating to a judgment debtor; the process to be followed if the institution holds two or more account funds; and good-faith belief of a party seeking garnishment that the party to be served with the garnishment order has, or will have, account assets of the judgment debtor.

Under the bill, an institution does not have a duty to investigate, respond to, or assert any defenses of a judgment debtor. Further, this section does not apply to wage garnishments or garnishments of property. However, this section does not limit the ability of a garnishor to issue an order of garnishment and interrogatories for

wages or for property, other than account funds, held by an institution.

The bill authorizes the Missouri Supreme Court to adopt rule amendments or issue a specific rule and forms to implement this section, before January 1, 2026.

The provisions of this bill are effective January 1, 2026.