

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1870, Page 6, Section 525.235, Lines
2 21-22, by deleting said lines and inserting in lieu thereof the following:

3
4 "accounts, the garnishee may withhold payment of the amount attached from any accounts
5 identified in the order of garnishment and such accounts may have a different attachment date
6 if"; and

7
8 Further amend said bill, page, and section, Lines 28 to 29, by deleting said lines and inserting in
9 lieu thereof the following:

10
11 "garnishment. The garnishee shall provide a copy of the order of garnishment to each account
12 holder within two days to the address provided to the garnishee by each account holder by mail
13 or electronically if authorized by the account holder. Each account holder may file an objection
14 or request of exemption of all or a portion of the account with the court that issued the order of
15 garnishment within thirty days of the date the garnishment attaches and serve their objection or
16 request for exemption on the garnishor and the garnishee. If the objection or request of
17 exemption is not resolved within thirty days, the garnishee may pay the garnished funds to the
18 circuit court to be held for pending resolution of the objection or request. The garnishee shall not
19 be liable to the joint owners if the ownership of the funds is later proven not to be the judgment
20 debtor's."; and

21
22 Further amend said bill and section, Page 7, Lines 44 to 45 by deleting said lines and inserting in
23 lieu thereof the following:

24
25 "7. No financial institution shall have a duty to investigate or assert any defense of a
26 judgment debtor."; and

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.

Action Taken _____ Date _____