

# State of Wisconsin



2015 Assembly Bill 872

Date of enactment: **March 30, 2016**

Date of publication\*: **March 31, 2016**

## 2015 WISCONSIN ACT 337

AN ACT *to renumber and amend* 812.33; *to amend* 812.35 (4) (a) and 812.40; and *to create* 812.33 (2) of the statutes; **relating to:** garnishment fees.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 812.33 of the statutes, as affected by [2015 Wisconsin Act 55](#), is renumbered 812.33 (1) and amended to read:

812.33 (1) The creditor shall pay a \$15 fee to the garnishee for each earnings garnishment or each stipulated extension of that earnings garnishment ~~and a \$3 fee to the garnishee for each payment delivered to the creditor after the first payment. These fees. This fee~~ shall be included as a cost in the creditor's claim in the earnings garnishment.

**SECTION 2.** 812.33 (2) of the statutes is created to read:

812.33 (2) In addition to the \$15 garnishee fee under sub. (1), the garnishee shall receive a \$3 fee for each payment delivered to the creditor under s. 812.39 after the first payment. That additional fee shall be deducted from the moneys delivered to the creditor. This subsection does not apply to a garnishment under s. 812.42.

**SECTION 3.** 812.35 (4) (a) of the statutes, as affected by [2015 Wisconsin Act 55](#), is amended to read:

812.35 (4) (a) The creditor shall tender the garnishee fees ~~fee~~ under s. 812.33 (1) to the garnishee at the time that the earnings garnishment form is served.

**SECTION 4.** 812.40 of the statutes, as affected by [2015 Wisconsin Act 55](#), is amended to read:

**812.40 Stipulated extension.** At any time while an earnings garnishment is in effect, the debtor and creditor may stipulate in writing to an extension of the earnings garnishment for additional pay periods. The extension may commence on the first day after the earnings garnishment ends and shall end within 13 weeks after the last day of the last pay period affected by the earnings garnishment. The garnishee shall be bound by the extension if a copy of the stipulation is delivered or mailed to the garnishee, together with the additional garnishee fees ~~fee~~ under s. 812.33 (1), before the last day of the last pay period affected by the earnings garnishment or any prior stipulated extension of the earnings garnishment. A stipulated extension is void and the garnishee fees ~~fee~~ shall be refunded if, prior to the last day of the last pay period affected by the earnings garnishment, the garnishee is served under s. 812.35 (3) by a creditor seeking to satisfy a different judgment against the debtor.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."