

State of Misconsin 2023 - 2024 LEGISLATURE

LRBa0565/1 KRP:cdc

ASSEMBLY AMENDMENT 1, TO ASSEMBLY BILL 337

November 17, 2023 - Offered by Representative TUSLER.

At the locations indicated, amend the bill as follows: 1 $\mathbf{2}$ **1.** Page 3, line 12: after that line insert: 3 "SECTION 3m. 812.35 (7) of the statutes is created to read: 4 812.35 (7) Upon being served, the garnishee shall determine whether the $\mathbf{5}$ debtor's address as shown in the earnings garnishment form received under sub. (3) 6 is consistent with the debtor's address in the garnishee's records, and, if it is not 7 consistent, the garnishee shall notify the creditor in writing by the end of the 7th 8 business day after receiving the earnings garnishment form of the current address 9 of the debtor in the garnishee's records. If the creditor is notified of a different 10 address of the debtor under this subsection, the creditor shall serve on the debtor at that address, by one of the means listed under sub. (3) (a) 1. to 3., copies of the 11 12 information required to be served under subs. (3) (a) and (4) (b).".

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2. Page 6, line 23: delete "**notice**" and substitute "**notices**".

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| 1 | 3. Page 7, line 13: after that line insert: |
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| 2 | "(3) No later than 180 days after an earnings garnishment proceeding is |
| 3 | commenced, and every 180 days thereafter until the judgment is satisfied, the |
| 4 | garnishment is terminated by order of the court, or 5 years has elapsed since the |
| 5 | garnishment takes effect, whichever occurs first, the creditor shall send to the debtor |
| 6 | by first class mail to the debtor's last known address all of the following: |
| 7 | (a) An exemption notice that is substantially in the form of the notice under s. |
| 8 | 812.44 (4) but that omits the information regarding the total amount of the creditor's |
| 9 | claim. |
| 10 | (b) An answer form under s. 812.44 (5). |
| 11 | (c) The schedules and worksheets adopted under s. 812.34 (3).". |
| 12 | 4. Page 8, line 13: delete lines 13 and 14 and substitute: |
| 13 | " 13 weeks. after the date on which you receive this form. The address last |
| 14 | known to the creditor of the debtor is as follows: |
| 15 | Address: |
| 16 | If that information is not consistent with your records, notify the creditor in |
| 17 | writing of the current address of the debtor in your records by the end of the 7th |
| 18 | business day after receiving this form. |
| 19 | If the \$15 fee is tendered with these papers, you are directed by the court to do |
| 20 | the following:". |
| 21 | 5. Page 13, line 5: delete "garnishee" and substitute " garnishee <u>debtor</u> ". |
| 22 | (END) |