

SECTION 2. This enactment shall not impair the amendment to section 348.28 of the statutes contained in chapter 59 of the laws of 1947, and both amendments shall be effective, and shall be included in the statutes by the revisor of statutes.

Approved June 28, 1947.

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CHAPTER 352.

AN ACT to amend 267.22 (1) (a) and 304.21 (1) and to create 304.215 of the statutes, relating to the garnishment of public employes, and to the quasi-garnishment of officers and employes of cities of the first class.

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

SECTION 1. 267.22 (1) (a) of the statutes is amended to read:
267.22 (1) (a) A judgment creditor (but no one else) may maintain a garnishment action against the state or any political subdivision thereof, *except cities of the first class as defined in section 62.05*, in the manner provided in this section to reach the unexempt wages or salary of the judgment debtor.

SECTION 2. 304.21 (1) of the statutes is amended to read:
304.21 (1) A judgment creditor may garnish the wages or salary of any public officer or employe, *except a public officer or employe of a city of the first class as defined in section 62.05*, as provided in this chapter, subject to the limitations of this section.

SECTION 3. 304.215 of the statutes is created to read:
304.215 QUASI-GARNISHMENT OF OFFICERS AND EMPLOYES OF CITIES OF THE FIRST CLASS. (1) Whenever any person, firm or corporation shall recover a judgment against any person, firm or corporation, and the judgment debtor at the time of the rendition of the judgment, or at any time thereafter during the life of the judgment, shall have money due, or to become due, from a city of the first class as defined in section 62.05, the judgment creditor may file a certified copy of such judgment with the clerk of such city.

(2) It shall thereupon become the duty of the proper officers of such city, after the expiration of 30 days from the

date of filing the certified copy of the judgment, to pay to the owner of the judgment such sum as at the time of such filing is due, and thereafter and until the judgment is fully paid, to pay to the owner of the judgment such sum or sums as may at any time or times be due from the city to such person, firm or corporation, and to deduct the sum or sums so paid as aforesaid from the amount due; provided: That if the sum or sums due is for salary or wages of any officer or employe of the city, the same shall be exempt from the provisions of this section to the same extent as salaries and wages are by law exempt from garnishment; that any repayment to any such officer or employe of disbursements made and expended by such officer or employe in discharge of the duties of his office, shall not be subject to any judgment or lien mentioned and described herein; that if any such judgment debtor shall have appealed from the judgment, at the date of the filing of the certified copy of the judgment, or if the time for appealing has not expired at the date of the filing, then and in either such case, if the judgment debtor shall within 30 days from the date of filing of the certified copy of the judgment file with the officer with whom the judgment is properly filed, an affidavit, that an appeal has been, or will be taken from the judgment within the time prescribed by law, such payment shall not be made until the final determination of the appeal, and if such affidavit is not filed, payment made as herein provided shall be a final discharge of any liability of such city to such person, firm or corporation to the extent of such payment.

(3) Notwithstanding priority of filing, a judgment filed under this section shall have precedence over an assignment, filed subsequent to the commencement of suit upon which such judgment is obtained.

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