

with a ninety per cent wage exemption have higher percentage recoveries by collection agencies than California.

*A. Legislative Proposals for Changes in California
Wage Garnishment Statutes*

A number of bills designed to ameliorate the garnishment problem have been introduced in recent sessions of the California legislature.

A measure introduced in 1965 would have raised the basic exemption from fifty to eighty per cent.¹⁶⁷ One 1963 proposal sought to exempt all earnings from garnishment; an amended version would have provided a one hundred per cent exemption from attachment and a seventy-five per cent exemption from execution with a maximum exemption of two hundred dollars a week.¹⁶⁸ A second would have exempted forty dollars a week and seventy-five per cent of the balance for heads of families and ten dollars a week less for others.¹⁶⁹ A third aimed at a one hundred per cent exemption from attachment without changing the execution provisions.¹⁷⁰ This was also the objective of a fourth proposal, together with a barring of wage garnishments for two weeks after entry of judgment.¹⁷¹ While these measures were not enacted, the legislature adopted a resolution calling for a study of the existing California laws exempting personal property from attachment and execution of judgment and of the changes in the state's population and credit structure which could have a bearing on revision of the law.¹⁷² The Assembly Interim Judiciary Committee studied the subject and concluded:

[A] revision of the law which will increase the debtor's protection by way of exemption and which will make that protection more modern and equal will be of benefit to both debtors and creditors. This conclusion reflects the underlying fact that neither debtor nor creditor

¹⁶⁷ Assembly Bill 2901 (1965) (introduced by Assemblyman Dymally). Two other bills were concerned only with attachment, one raising the minimum amount of a claim on which attachment can issue from \$75 to \$125, Assembly Bill 1127 (1965) (introduced by Assemblyman Danielson), the other requiring a second affidavit for attachment and a hearing within 72 hours to determine whether the property shall remain attached or be released, Assembly Bill 3220 (1965) (introduced by Assemblyman Chapel). A.B. 1127 was enacted. Cal. Stats. 1965, ch. 668, § 1. Neither it nor A.B. 3220 significantly affect the wage garnishment problem. A.B. 2901 and 3220 were not reported out by the committee to which they had been referred.

¹⁶⁸ Assembly Bill 482 (1963) (introduced by Assemblyman Foran). The bill also would have provided a 50% exemption from wage levies based on alimony and child support obligations. At present there is no exemption at all in such situations. See note 20 *supra*.

¹⁶⁹ Assembly Bill 2278 (1963) (introduced by Assemblyman Foran), later amended by the author in a manner similar to Assembly Bill 482, note 168 *supra*.

¹⁷⁰ Assembly Bill 2332 (1963) (introduced by Assemblyman Foran).

¹⁷¹ Assembly Bill 2808 (1963) (introduced by Assemblyman Ferrell).

¹⁷² H. Res. 268 (1963).