**South Carolina General Assembly**

125th Session, 2023-2024

**S. 346**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Judiciary**

Summary: Property that may be applied to satisfy a judgement

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/10/2023 Senate Introduced and read first time ([Senate Journal‑page 201](h:\sj\20230110.docx))

1/10/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 201](h:\sj\20230110.docx))

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**VERSIONS OF THIS BILL**

[01/10/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/346_20230110.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 15‑39‑410, relating to PROPERTY THAT MAY BE ORDERED TO BE APPLIED TOWARD THE SATISFACTION OF A JUDGMENT, so as to PROVIDE THAT, INSTEAD OF A COMPLETE EXEMPTION OF THE EARNINGS OF A JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES, ONLY SEVENTY‑FIVE PERCENT OF THE EARNINGS OF THE DEBTOR FOR HIS PERSONAL SERVICES CANNOT BE APPLIED, AND THAT THE EARNINGS OF THE JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES TO BE WITHHELD MAY NOT EXCEED THE LIMITS SET FORTH BY THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15‑39‑410 of the S.C. Code is amended to read:

Section 15‑39‑410. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person or due to the judgment debtor, to be applied toward the satisfaction of the judgment, except that seventy‑five percent of the earnings of the debtor for his personal services cannot be so applied, and the earnings of the judgment debtor for his personal services to be withheld may not exceed the limits set forth by the Federal Consumer Credit Protection Act, 15 U.S.C. Section 1673.

SECTION 2. This act takes effect upon approval by the Governor.

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