

1 HB44  
2 147160-1  
3 By Representative Nordgren  
4 RFD: Commerce and Small Business  
5 First Read: 05-FEB-13  
6 PFD: 01/24/2013

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8 SYNOPSIS: Under existing law, an employer who  
9 willfully fails or refuses to withhold or pay the  
10 amounts as ordered may be held to be in contempt of  
11 court, or personally liable to the obligee for  
12 failure to answer or withhold.

13 This bill would provide that an employer who  
14 pays his or her employee's wages in a manner  
15 intending to protect the wages of his or her  
16 employee from being garnished or withheld for the  
17 purpose of the collection of child support payment  
18 owed by the employee shall be personally liable for  
19 the child support that could have been garnished or  
20 withheld.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 Relating to garnishment; to add a new Section  
27 30-3-69.1 to Article 3, Chapter 3, Title 30, Code of Alabama

1 1975, to provide that an employer who pays an employee in a  
2 manner that protects the wages of the employee from  
3 garnishment or withholding laws to be personally liable for  
4 the child support that could have been garnished or withheld.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 30-3-69.1 is added to Article 3,  
7 Chapter 3, Title 30 of the Code of Alabama 1975, to read as  
8 follows:

9 §30-3-69.1.

10 An employer who pays his or her employee in a manner  
11 intending to protect the wages of the employee from being  
12 garnished or withheld for the purpose of or the collection of  
13 child support payments owed by the employee shall be  
14 personally liable for the amount of child support owed as if  
15 the child support had been withheld under Chapter 3 of this  
16 title or to the same degree as an employer who willfully fails  
17 or refuses to withhold or pay the amounts required under  
18 Section 30-3-69.

19 Section 2. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.