
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: January 19, 2024

Contact: Ethan Lauer, Senior Staff Attorney

2023 Assembly Bill 337

**Assembly
Amendment 1**

BACKGROUND

An earnings garnishment is an action by a creditor to collect an unsatisfied civil judgment from earnings payable by the garnishee (e.g., the debtor's employer) to the debtor. Generally, 80 percent of a debtor's disposable income is exempt from garnishment. A debtor's earnings may be totally exempt if the debtor's household income is below the poverty line or if the debtor receives, has recently received, or is eligible to receive, need-based public assistance.

As part of a garnishment, the creditor must serve the following documents on the debtor:

- A garnishment form, which displays the total amount that the creditor claims is owed by the debtor and instructs the garnishee on how to execute the garnishment.
- An exemption notice, which informs the debtor of situations in which the debtor's earnings are exempt from garnishment.
- An answer form, which the debtor may file with the court to claim a full or partial exemption.
- Schedules and worksheets, which assist a debtor in computing eligibility for an exemption.

With some exceptions, a garnishment remains in effect only for pay periods that begin within 13 weeks after the garnishment form is served on the garnishee. Also, only one garnishment may be in effect at a time.

2023 ASSEMBLY BILL 337

2023 Assembly Bill 337 eliminates the 13-week limit on a garnishment and allows multiple garnishments to be in effect concurrently. The bill also requires the creditor to serve the garnishment form on the debtor every 13 weeks of a garnishment.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 requires the creditor to serve all of the following on the debtor every 180 days for the first five years of a garnishment: an exemption notice; an answer form; and schedules and worksheets.

The amendment also requires a garnishee to notify the creditor if the debtor's address listed on the garnishment form does not match the debtor's address on file with the garnishee. If a creditor is so notified, the creditor must serve the relevant documents on the debtor at that corrected address.

BILL HISTORY

Representative Tusler offered Assembly Amendment 1 on November 17, 2023. On January 17, 2024, the Assembly Committee on State Affairs recommended adoption of the amendment on a vote of Ayes, 14; Noes 0, and passage of the bill, as amended, on a vote of Ayes, 12; Noes, 2.

For a full history of the bill, visit the Legislature's [bill history page](#).

EL:ksm