

House Bill 758

By: Representatives Lane of the 101st, Barnard of the 121st, Post 1, Channell of the 77th, Shaw of the 143rd, Hanner of the 133rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 4 of Title 18 of the Official Code of Georgia Annotated,
2 relating to postjudgment garnishment proceedings generally, so as to change certain
3 provisions relating to right to writ of garnishment after judgment; to prohibit multiple
4 payment of filing costs or fees on multiple garnishment actions filed on the same money
5 judgment in the same court; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 4 of Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to
9 postjudgment garnishment proceedings generally, is amended by striking Code Section
10 18-4-60, relating to right to writ of garnishment after judgment, and inserting in lieu thereof
11 the following:

12 "18-4-60.

13 (a) In all cases where a money judgment shall have been obtained in a court of this state
14 or in a federal court sitting in this state, the plaintiff shall be entitled to the process of
15 garnishment.

16 (b) No clerk of any court of this state shall be authorized to require any deposit of cost or
17 any other filing or service fee as a condition to the filing of a garnishment action authorized
18 under this Code section if at the time of such filing the records of the court show that the
19 plaintiff has paid any such cost or fee upon filing any previous garnishment action in such
20 court on the same money judgment."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.