

# HOUSE BILL 761

D3, D4

0lr2375

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By: **Delegates Pena–Melnyk, Dumais, Glenn, Griffith, Ivey, Lee, Mizeur, Montgomery, V. Turner, and Valderrama**  
Introduced and read first time: February 5, 2010  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Exemptions from Execution on a Judgment – Exception for Child**  
3 **Support and Alimony**

4 FOR the purpose of creating an exception to a provision of law that exempts certain  
5 money from execution on a judgment by establishing that a certain percentage  
6 of certain money is subject to execution on a judgment for child support or  
7 alimony arrearages; establishing that certain provisions of law relating to  
8 exemptions from execution on a judgment do not apply to a certain child support  
9 lien; and generally relating to exemptions from execution on a judgment.

10 BY repealing and reenacting, with amendments,  
11 Article – Courts and Judicial Proceedings  
12 Section 11–504(b) and 11–507  
13 Annotated Code of Maryland  
14 (2006 Replacement Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Courts and Judicial Proceedings**

18 11–504.

19 (b) The following items are exempt from execution on a judgment:

20 (1) Wearing apparel, books, tools, instruments, or appliances, in an  
21 amount not to exceed \$5,000 in value necessary for the practice of any trade or  
22 profession except those kept for sale, lease, or barter.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 (2) Money payable in the event of sickness, accident, injury, or death  
2 of any person, including compensation for loss of future earnings. This exemption  
3 includes but is not limited to money payable on account of judgments, arbitrations,  
4 compromises, insurance, benefits, compensation, and relief. Disability income benefits  
5 are not exempt if the judgment is for necessities contracted for after the disability is  
6 incurred. **FIFTY-FIVE PERCENT OF ANY MONEY PAYABLE UNDER THIS**  
7 **PARAGRAPH IS SUBJECT TO EXECUTION ON A JUDGMENT FOR CHILD SUPPORT**  
8 **OR ALIMONY ARREARAGES.**

9 (3) Professionally prescribed health aids for the debtor or any  
10 dependent of the debtor.

11 (4) The debtor's interest, not to exceed \$1,000 in value, in household  
12 furnishings, household goods, wearing apparel, appliances, books, animals kept as  
13 pets, and other items that are held primarily for the personal, family, or household use  
14 of the debtor or any dependent of the debtor.

15 (5) Cash or property of any kind equivalent in value to \$6,000 is  
16 exempt, if within 30 days from the date of the attachment or the levy by the sheriff,  
17 the debtor elects to exempt cash or selected items of property in an amount not to  
18 exceed a cumulative value of \$6,000.

19 (6) Money payable or paid in accordance with an agreement or court  
20 order for child support.

21 (7) Money payable or paid in accordance with an agreement or court  
22 order for alimony to the same extent that wages are exempt from attachment under §  
23 15-601.1(b)(1)(ii) or (2)(i) of the Commercial Law Article.

24 11-507.

25 The provisions of this subtitle relative to exemptions do not impair a:

26 (1) Vendor's purchase money lien on land;

27 (2) Mechanics' lien;

28 (3) Tax lien;

29 (4) Mortgage; deed of trust; or other security interest; **OR**

30 **(5) CHILD SUPPORT LIEN UNDER § 10-140 OF THE FAMILY LAW**  
31 **ARTICLE.**

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2010.