

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1043**

Short Title: Study Collection of Commercial Debt.

(Public)

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Sponsors: Senator Hoyle.

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Referred to: Rules and Operations of the Senate.

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April 5, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO  
3 STUDY THE ISSUE OF GARNISHMENT FOR PURPOSES OF COLLECTING  
4 COMMERCIAL DEBT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Legislative Research Commission may conduct a study of  
7 the issue of commercial or business debts and the means available to creditors to collect  
8 on those debts. If the Commission undertakes the study, it shall determine whether it is  
9 advisable to enact legislation in this State to allow a person who has recovered a court  
10 order or judgment for a commercial debt to obtain an order of garnishment of the  
11 debtor's income, wages, bonuses, or commissions and, if so, what types of income  
12 should be garnished or exempt from garnishment. The Commission may review other  
13 state laws, including the South Carolina Business Debt Recovery Act, in considering the  
14 issue of garnishment for commercial debts.

15 The Legislative Research Commission may make an interim report of its  
16 findings and recommendations to the 2001 General Assembly, 2002 Regular Session,  
17 and a final report to the 2003 General Assembly.

18 **SECTION 2.** This act is effective when it becomes law.