

113TH CONGRESS
2D SESSION

S. 2809

To require the Environmental Protection Agency to obtain a court order
to garnish wages to pay a nontax debt.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2014

Mr. JOHANNES (for himself, Mr. THUNE, Mr. INHOFE, Mr. PAUL, Mr. ROBERTS, Mr. FLAKE, Mr. McCONNELL, Mrs. FISCHER, Mr. BARRASSO, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Environmental Protection Agency to obtain
a court order to garnish wages to pay a nontax debt.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RESTRICTION ON GARNISHMENT.**

4 (a) IN GENERAL.—Section 3720D(a) of title 31,
5 United States Code, is amended—

6 (1) by striking “Notwithstanding” and insert-
7 ing “(1) Except as provided in paragraph (2) and
8 notwithstanding”; and

9 (2) by adding at the end the following:

1 “(2)(A) The Administrator of the Environmental
2 Protection Agency may not garnish the disposable pay of
3 any individual without first obtaining a court order.

4 “(B) The amount deducted under a court order
5 issued under this paragraph for any pay period may not
6 exceed 15 percent of the disposable pay of an individual,
7 except that a greater percentage may be deducted with
8 the written consent of the individual.

9 “(C) If an individual has been reemployed within 1
10 year after having been involuntarily separated from em-
11 ployment, a court may not order the garnishing of the dis-
12posable pay of an individual under this section before the
13 date on which the individual has been reemployed continu-
14ously for 1 year.”.

15 (b) EFFECTIVE DATE; APPLICABILITY.—The amend-
16ment made by this section—

17 (1) shall take effect on the date of enactment
18 of this Act;

19 (2) shall apply to any action by the Adminis-
20trator of the Environmental Protection Agency
21 under section 3720D of title 31, United States Code,
22 as in effect on the day before the date of enactment
23 of this Act, seeking to garnish the disposable pay of
24 an individual that is pending on the date of enact-
25ment of this Act; and

1 (3) shall not apply to any garnishment order by
2 the Administrator of the Environmental Protection
3 Agency under section 3720D of title 31, United
4 States Code, as in effect on the day before the date
5 of enactment of this Act, that is final on the date
6 of enactment of this Act.

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