



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1751

Introduced 2/25/2005, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

740 ILCS 170/4

from Ch. 48, par. 39.4

Amends the Illinois Wage Assignment Act. Provides that the maximum wages, salary, commissions, and bonuses that may be collected by an assignee for any work week shall not exceed the lesser of (1) 15% of the gross amount paid for that week or (2) the amount by which the disposable earnings for the week exceed the greater of 45 times the federal minimum hourly wage or the minimum hourly wage prescribed by the Minimum Wage Law. Effective immediately.

LRB094 10619 LCB 40955 b

1 AN ACT concerning civil liabilities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Wage Assignment Act is amended by
5 changing Section 4 as follows:

6 (740 ILCS 170/4) (from Ch. 48, par. 39.4)

7 Sec. 4. The maximum wages, salary, commissions, and bonuses
8 that may be collected by an assignee for any work week shall
9 not exceed the lesser of (1) 15% of such gross amount paid for
10 that week or (2) the amount by which disposable earnings for a
11 week exceed 45 times the Federal Minimum Hourly Wage prescribed
12 by Section 206(a)(1) of Title 29, U.S.C., as amended, or the
13 minimum hourly wage prescribed by Section 4 of the Minimum Wage
14 Law, whichever is greater, in effect at the time the amounts
15 are payable. This provision (and no other) applies irrespective
16 of the place where the compensation was earned or payable and
17 the State where the employee resides. No amounts required by
18 law to be withheld may be taken from the amount collected by
19 the creditor. The term "disposable earnings" means that part of
20 the earnings of any individual remaining after the deduction
21 from those earnings of any amounts required by law to be
22 withheld. If there is more than one assignment demand received
23 by the employer, the assignees shall collect in the order or
24 priority of service of the demand upon the employer, but the
25 total of all collections shall not exceed the amount that could
26 have been collected if there had been one assignment demand.

27 Benefits and refunds payable by pension or retirement funds
28 or systems, any assets of employees held by those funds or
29 systems, and any moneys an employee is required to contribute
30 to those funds or systems are exempt and are not subject to a
31 wage assignment under this Act.

32 A fee of \$12 for each wage assignment shall be collected by

1 and paid to the employer and the amount so paid shall be
2 credited against the amount of the wage-earner's outstanding
3 debt.

4 (Source: P.A. 88-395.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.