

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 510

BY STATE AFFAIRS COMMITTEE

AN ACT

1
2 RELATING TO PROPERTY; AMENDING SECTION 11-202, IDAHO CODE, TO REMOVE REFER-
3 ENCE TO AN ELECTIVE OFFICIAL RELATING TO DEBTS OWED BY THE STATE IN THE
4 EXECUTION AND GARNISHMENT AFTER FINAL JUDGMENT AND TO MAKE A TECHNICAL
5 CORRECTION.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 11-202, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 11-202. DEBTS OWING BY STATE OF IDAHO SUBJECT TO EXECUTION OR GARNISH-
10 MENT AFTER JUDGMENT. Debts, moneys and credits due or owing by the state of
11 Idaho to any person whomsoever, ~~except an elective official of the state of~~
12 ~~Idaho,~~ shall be subject to execution and garnishment after final judgment
13 against such person for the satisfaction of such judgment by service by the
14 sheriff of Ada county, Idaho, upon the state controller of a copy of the writ
15 of execution and a notice of garnishment signed by such officer in dupli-
16 cate. The state controller shall at the time of such service collect a fee of
17 ten dollars (\$10.00) therefor from said officer. The state controller shall
18 thereafter have a period of thirty (30) days in which to answer said notice of
19 garnishment. The state controller shall pay, in the usual manner provided by
20 law to the officer serving said writ of execution and notice of judgment, the
21 amount necessary to satisfy said judgment excluding any exemption as pro-
22 vided by law. The officer's receipt therefor shall be a sufficient release
23 of the state of Idaho and the state controller, of said claim of such person.