

SUMMARY OF COLLECTION LAWS

Bad Check Law: Alternately, UCC article 3 section 806 provides recovery of all reasonable costs & expenses.

Federal Garnishment Exemption

Federal Law exempts from garnishment 75% of disposable earnings per week, or an amount to 30 x federal minimum hourly wage, whichever is greater. Some states laws still on the books are listed below, but where federal law provides larger exemption, it supersedes the state law.

*Denotes States having community property laws.

* These are not comprehensive statutes and therefore Wright Holmes Law List disclaims any liability resulting from reliance by any party upon the legality and accuracy of the contents thereof. Contact one of our law firms in the directory for complete information and accuracy.

ALABAMA

INTEREST RATE

Legal: 6% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written contract 6 - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Actual Bank charges

GENERAL GARNISHMENT EXEMPTIONS

75% of wages are exempt from garnishment

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: \$25 if the Population is under 20,000 or \$100 if the Population is over 20,000

ALASKA

INTEREST RATE

Legal: 10.5% - Judgment 10.5% or contractual

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods: 4 - Written Contract 6 - Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Damages in amount equal to \$100 or triple the amount of the check whichever is greater. But no more than \$1000 over the amount of the checks.

GENERAL GARNISHMENT EXEMPTIONS

75* of employee's weekly net income or \$402.50 whichever is more.

COLLECTION AGENCY BOND & LICENSE

Bond: \$5000 License: Yes - Fee: \$100- Application \$200 - Agency Biennially

* ARIZONA

INTEREST RATE

Legal: 10% - Judgment 10% or contractual

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 6 in Az. - 4 outside Az. - Domestic Judgment 5-additional 5 upon request (indefinitely) - Foreign Judgment 4

BAD CHECK LAWS (CIVIL PENALTY)

Twice the amount of check, costs of suit, reasonable attorney fees.

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Bond: \$10,000 minimum (based on gross income) - License: Yes - Fee: \$1500 Application Fee \$600 Annual Fee \$23 per Officers/Managers

ARKANSAS

INTEREST RATE

Legal: 6% or 5 points above the Fed. discount rate Judgment 5 points above the Federal discount rate or 10% per annum whichever is less

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 5 (partial payment stops the statute from running) - Sale of Goods: (UCC-2) - 4 - Domestic Judgment 10 - Renewable - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Twice the amount of check - prior to double charge - can start out with \$15 charge per NSF check after 30 days.

GENERAL GARNISHMENT EXEMPTIONS

\$500 head of family; \$200 single. Includes personal property except clothing.

COLLECTION AGENCY BOND & LICENSE

Bond: \$5000/\$1500 Branch - License: Yes - Fee: \$125 -\$5 each employee

WRIGHT HOLMES LAW LIST

* CALIFORNIA

INTEREST RATE

Legal: 10% - Judgment 10% (Unless otherwise contracted)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: Reduced to writing - 4 - Open Acct: No writing - 2 - Written Contract 4 - Domestic Judgment 10 (renewable at 10) - Foreign Judgment 10 (commencing with judgment debtor's commencement of CA residence)

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, Treble damages - minimum \$100 maximum \$1500 per check

GENERAL GARNISHMENT EXEMPTIONS

See federal law. Exemptions for necessities of life.

COLLECTION AGENCY BOND & LICENSE

No license or bond required.

COLORADO

INTEREST RATE

Legal: 8% - Judgment 8% (or higher if specified in contract or note)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 (signed promissory note) - Written Contract Goods Services: 3 - Domestic Judgment District Court 20 (renewable every 20) County Court - 6 (renewable every 6) - Foreign Judgment 6 in CO

BAD CHECK LAWS (CIVIL PENALTY)

Treble Damages & Reasonable Fees

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Bond: \$10,000 - 20,000 - License: Yes - Fee: Determined by collection agency board

CONNECTICUT

INTEREST RATE

Legal: 8% - Judgment 10%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 - Oral Contract 3 - Domestic Judgment 20/25 - Small Claims Judgment 10/15 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Personal liability of signatory on corporate claims unless signed in corporate capacity.

GENERAL GARNISHMENT EXEMPTIONS

25% you may garnish disposable earnings each week, or 40 x fed. mm. hourly wage, whichever is less.

COLLECTION AGENCY BOND & LICENSE

Bond: \$5000 - License: Yes - Fee: \$200 Yearly \$50 Investigation

DELAWARE

INTEREST RATE

Legal + Judgment -Federal Reserve Discount Rate Plus 5% Points

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods: 4 - Open Acct.: 4 - Written Contract 3 - Domestic Judgment No provision - Foreign Judgment No provision

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, cost of suit, protest tees

GENERAL GARNISHMENT EXEMPTIONS

85% of disposable earnings or disposable earnings minus 127.50 weekly according to schedule.

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: Merc. License - Fee: \$50 Yearly

DISTRICT OF COLUMBIA

INTEREST RATE

Legal: 6% - Judgment 70% of interest rates on taxes to IRS

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 3 - Domestic Judgment 20 - Foreign Judgment Foreign Statute

BAD CHECK LAWS (CIVIL PENALTY)

Amount Due - Protest Fees

GENERAL GARNISHMENT EXEMPTIONS

See federal law. D.C. Government employees are not attachable.

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: No

FLORIDA

INTEREST RATE

Legal: 10% - Judgment 10% or contractual

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 5 - Domestic Judgment 7 Renewable - Foreign Judgment Sit not recorded in-state

BAD CHECK LAWS (CIVIL PENALTY)

After 30 day demand-treble amount in addition to amount owed, bank & court costs & reasonable attorney fees.

GENERAL GARNISHMENT EXEMPTIONS

See federal law except 100% head of household. - Liberal Homestead Exemption - 1st \$1,000 of automobile

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COLLECTION AGENCY BOND & LICENSE

Bond: Yes - \$50,000 (Commercial) - License: Yes - Fee: Yes - \$200 - Registration / \$50 - Investigation \$200 - Renewal

GEORGIA

INTEREST RATE

Legal: 7% - Judgment 12% - Commercial Accounts: 18%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 6 - Domestic Judgment .7 - Foreign Judgment 5

BAD CHECK LAWS (CIVIL PENALTY)

After 10 day written demand double damages up to \$500 and service charge of \$20 or 5%, whichever is greater.

GENERAL GARNISHMENT EXEMPTIONS

See federal law. City, County & State employees may be garnished.

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: No

HAWAII

INTEREST RATE

Legal: 10% - Judgment 10% (no written contract)

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods: 4 - Open Acct: 6 - Written Contract 6 - Domestic Judgment 10 - Foreign Judgment 6 for regis./10 after regis.

BAD CHECK LAWS (CIVIL PENALTY)

Damages equal to \$100 or triple amount of check, not to exceed \$500.

GENERAL GARNISHMENT EXEMPTIONS

95% of 1st \$100 - 90% of 2nd \$100 - 80% net wages in excess of \$200 per mo. or federal limits whichever is greater.

COLLECTION AGENCY BOND & LICENSE

Bond: \$25,000/\$15,000 each branch - License: Registration with "DCCA" - Fee: \$25- Application - \$80- Registration \$80 - Renewal - \$50- Compliance = \$155 for 2 years

* IDAHO

INTEREST RATE

Legal: 12% - Judgment 10.875% plus the base rate

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Oral Contract 4 - Written Contract 5 - Domestic Judgment 5 renewable - Foreign Judgment 6 renewable

BAD CHECK LAWS (CIVIL PENALTY)

Triple amount of check up to \$500 over the check amount

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Bond: Greater of \$5,000 or 2 x average monthly net collections previous year plus \$2000 to indemnify state for costs - License: Yes - Fee: \$100 - permit fee - \$50 - renewal

ILLINOIS

INTEREST RATE

Legal: 5% Judgment 9%

STATUTE OF LIMITATIONS (IN YEARS)

Sales (UCC): 4 - Open Acct: 5 - Written Contract 10 - Domestic Judgment 20 - Foreign Judgment Same as foreign jurisdiction

BAD CHECK LAWS (CIVIL PENALTY)

Triple check amount up to \$500, attorney fees & court costs.

GENERAL GARNISHMENT EXEMPTIONS

15% of gross wages or disposable earnings for workweek up to 45 x ted. mm. hourly wage, whichever is greater.

COLLECTION AGENCY BOND & LICENSE

Bond: \$25,000 - License: Yes - Fee: \$75 - Original \$60 - Renewal

INDIANA

INTEREST RATE

Legal: 8% - Judgment 8%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract for payment of money -(executed before 9/1/82): 10 (executed after 8/31/82): 6 - Written contract (other than payment of money): 10 - Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Triple check amount up to \$500 over check amount + attorney fees & interest upto 18% per annum or 25% of triple check amount + attorney fees and interest at 8% per annum.

GENERAL WAGE GARNISHMENT EXEMPTIONS

- 75% of disposable earnings for workweek or the amount of 30 x ted. mm. hourly wage, whichever is greater.

COLLECTION AGENCY BOND & LICENSE

Bond: \$5000 each office - License: Yes - Fee: \$50 plus \$5 per annum, each unlicensed employee \$15 branch office

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IOWA

INTEREST RATE

Legal: 5% - Judgment 10%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 5 - Written Contract 10 - Domestic Judgment 10 - can be renewed in the next year - Foreign Judgment 10 - can be renewed in the next year

BAD CHECK LAWS (CIVIL PENALTY)

Triple check up to \$500 over check amount

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: No

KANSAS

INTEREST RATE

Legal: 10% - Judgment 4 percentage points above the discount rate

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 5 - Domestic Judgment 5 renewable - Foreign Judgment 5 renewable

BAD CHECK LAWS (CIVIL PENALTY)

Three times check amount not exceeding the check amount, \$500 or \$100 whichever is greater plus attorney fees

GENERAL GARNISHMENT EXEMPTIONS

See federal law. Plus other personal property, benefit exemptions, and homestead

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: No

KENTUCKY

INTEREST RATE

Legal: 8% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 5 - Written Contract 15 - Oral Contract 5 - Domestic Judgment 15 - Foreign Judgment 15

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS -25% of disposable income or 30 times the federal minimum hourly wage (whichever is less)

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: No - Fee: No

LOUISIANA

INTEREST RATE FOR 1996 - LEGAL: 9.75% - JUDGMENT 9.75%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 10 - Promissory Notes: 5 - Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

After 30 day written demand (certified or registered), twice check amount Attorney fees & court costs.

GENERAL GARNISHMENT EXEMPTIONS

75% disposable earnings per work week, but not less than 30 x fed. mm. hourly wage.

COLLECTION AGENCY BOND & LICENSE

Bond: Yes - \$10,000 - License: Yes - Fee: \$200 Initial I \$200 Investigation I \$200 Renewal \$100 Branch I \$100 Branch Renewal

MAINE

INTEREST RATE

Legal: 8% Post - Judgment 15% annual (less than \$30,000) T-Bill rate over \$30,000

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 + 20 (with attestation) - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, court costs, service costs & collection costs

GENERAL GARNISHMENT EXEMPTIONS

You may garnish 25% of disposable income or 40 times the federal minimum wages per week (whichever is less) After judgement only.

COLLECTION AGENCY BOND & LICENSE

Bond: Yes- Per Superintendent - License: Yes - Fee: \$400 Yearly

MARYLAND

INTEREST RATE

Legal: 6% - Judgment 10% or contractual

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - UCC:4 - Specialty: 12 (contract under seal) - Written Contract 3 - Domestic Judgment 12 - Foreign Judgment 12

BAD CHECK LAWS (CIVIL PENALTY)

After 30 day written notice, amount due, \$25 fee, twice check amount up to \$1000. (At the discretion of the court.) Applies to COD sales only.

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GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% of amount to \$145 x no. of wks. in which wages due were earned, except in Caroline, Worchester, Kent & Queen Anne's Counties, see federal law. Exemption is up to \$3,000 in cash and/or property.

COLLECTION AGENCY BOND & LICENSE

Bond: \$5,000 each office - License: Yes - Fee: \$150 each office

MASSACHUSETTS

INTEREST RATE

Legal: 6% - Judgment 12% - Contract 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct on Contract 6 - Contract 6 - Sales (UCC) Contract 4 - Domestic Judgment 20 (presumed satisfied after 20 years) - Foreign Judgment 20 - Contract Under Seal: 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, costs of suit, protest fees Additional damages \$100 - \$500 can be assessed.

GENERAL GARNISHMENT EXEMPTIONS

\$125 a week

COLLECTION AGENCY BOND & LICENSE

Bond: \$10,000 - \$25,000 - License: Yes - Fee: Determined by commissioner

MICHIGAN

INTEREST RATE

Legal: 5% - Judgment 6.953 changes semi-annually - Usuary limit 25%

STATUTE OF LIMITATION (IN YEARS)

Open Acct: 6 - Written Contract 6 - Sales (UCC) Contract 4 - Domestic Judgment 10 renewable - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Twice the amount of check - not to exceed \$500. Retail Claims - Notice Requirments.

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

(RETAIL ONLY) - Bond: \$5,000 - \$50,000 - License: Yes - Fee: \$150 - Investigation \$225 - Initial \$125- Annually

MINNESOTA

INTEREST RATE

Legal: 6% - Judgment 5% (Changes Yearly) Business or Agricultrual Loan: 4½% over federal discount rate

STATUTE OF LIMITATIONS (IN YEARS)

Goods Sold & Delivered (UCC): 4 - Open Acct: 6 - Written Contract 6 - Transportation Service: 3 - Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, \$100 penalty, judgment interest rate, reasonable attorneys fees (if check over \$1250), \$15 service charge.

GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% or amount to 40 x fed. mm. hourly wage.

COLLECTION AGENCY BOND & LICENSE

Bond: \$20,000 - License: Yes - Fee: \$1,000 - Initial \$400 - Annual \$10 - Per Collector

MISSISSIPPI

INTEREST RATE

Legal: 8% - Judgment amount in contract if no contract amount court decides

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Written Contract 3 UCC: 6 - Domestic Judgment 7 - Foreign Judgment 7(3 if resident)

BAD CHECK LAWS (CIVIL PENALTY)

On checks \$100 or more - not more than \$1000 fee + court may impose fee of no more than 85% of the check value. Criminal penalties & restitution apply.

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Bond: No - License: City - Business - Fee: \$15-\$50

MISSOURI

INTEREST RATE

Legal: 9% - Judgment 9%

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods 4 - Open Acct: 5 - Written Contract 10 (Money & Property) - Domestic Judgment 10 (Revived every 10 year) - Foreign Judgment 10 (revived every 10 years)

BAD CHECK LAWS (CIVIL PENALTY)

Three times face amount owed plus attorney's fees.

GENERAL GARNISHMENT EXEMPTIONS

See Federal law; exempt 90% of week's net pay, head of household, single person w/o depend. = 75%

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MONTANA

INTEREST RATE

Legal: 10% - Judgment 10%

STATUTE OF LIMITATIONS (IN YEARS)

Contract not in Writing 5 - Written Contract 8 - Domestic Judgment 10 (District Court) - Justice of Peace Judge 10 - Tort Claim (Subrogation) Prop & Personal 3

BAD CHECK LAWS (CIVIL PENALTY)

\$100 minimum or 3 times face value up to \$ 500 plus face value of check and under UCC the value of the check plus \$30 service charge per check,

GENERAL GARNISHMENT EXEMPTIONS

See Federal law. State law provides for executions

NEBRASKA

INTEREST RATE

Legal: 12% per written instrument or contract rate - Judgment 2% above the bond investment yield of the 28 week U.S. Treasury Bill

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 5 - Domestic Judgment 5 renewable every 5 - Foreign Judgment 5 non-renewable

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, costs, protest fees

GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% disposable earnings (85% if head of household), or 30x fed. Minimum hourly wage.

NEVADA

INTEREST RATE

Contract rate always prevails. If no contract: Pre-Judgment: Statutory rate = 2% Over Prime as determined by 3 largest NV banks and adjusted every 6 months. Judgment: Same as pre-judgment

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 6 - Lease 4 - Domestic Judgment 6 - Foreign Judgment 6

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, protest fees three times check amount not more than \$500, or less than \$100.

GENERAL GARNISHMENT EXEMPTIONS

Wages no more than 25% of Disposable earnings for each week or 30 times federal minimum hourly wage (Whichever is less) except for support orders.

NEW HAMPSHIRE

INTEREST RATE

Judgment 2005-4%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - For Goods 4 - Written Contract 3 - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, interest, court costs, reasonable attorneys' fees & \$10 per business day (max \$500). If statutory notice is sent. (RSA 544-B)

GENERAL GARNISHMENT EXEMPTIONS

50 x fed. min. hourly wage - All future wages are exempt so that the court cannot issue an ongoing order.

NEW JERSEY

INTEREST RATE

Legal: up to 30% - as provided for by contract - Judgment changes yearly. In 2005 - 1% on judgments up to \$15,000. On judgments in excess of \$15, 000, an additional 2% is added to the interest rate.

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Sale of Goods 4 - Written Contract 6 - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Face amount of the check plus 3x the face value of the check, with the civil penalty not to exceed \$500.

GENERAL GARNISHMENT EXEMPTIONS

\$154.50 wk. min. 10% of gross earnings \$154.50 & Over

NEW MEXICO

INTEREST RATE

Judgment 8.75% (in the absence of a written contract)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 6 - Domestic Judgment 14 - Foreign Judgment 14

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, triple damages up to \$500 per check. Complex requirements need to be met.

GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% or amount each wk. = to 40 x fed. min. hourly wage.

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NEW YORK

INTEREST RATE

Legal: 16% - Judgment 9%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Sale of Goods 4 - Written Contract
6 - Domestic Judgment 20 (10 yr. renewable lien) -
Foreign Judgment 20 (10 yr. renewable lien)

BAD CHECK LAWS (CIVIL PENALTY)

Face value of check plus two times check amount
up to a maximum of \$400 on NSF or \$750 on "no
account" (Demand prescribed by law). GEN.OB.1.1-
104.

GENERAL GARNISHMENT EXEMPTIONS

90% of earnings, except 1st \$154.50 wk. wholly
exempt (only if the person earns minimum wage).

NORTH CAROLINA

INTEREST RATE

Legal: 8% - Judgment 8%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Sale of Goods 4 - Written Contract 3
- Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

30 day written demand lesser of \$500 or 3x check
amount, but not less than \$100

GENERAL GARNISHMENT EXEMPTIONS

100% of last 60 days' earnings for family support.
Garnishment only by political subdivisions for taxes,
ambulance fee, ect.

NORTH DAKOTA

INTEREST RATE

Legal: 6% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct. for services: 6 - Sale of Goods 4 - Written
Contract 6 - Domestic Judgment 10 renewable -
Foreign Judgment 10 renewable

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, collection fees of \$25, and civil penalty
by civil action for lesser of \$200 or 3x check. Effective
08/01/01.

GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% or amount each wk. = to 40 x fed.
min. hourly wage. Plus \$20.00 each household
dependent.

OHIO

INTEREST RATE

Legal: 1% above short rate pursuant to Ohio Revised
code 134303 (for 2005 rate is 5%) - Judgment 10%
(unless written contract)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Sales Contract (UCC2-725) - Written
Contract 15 - Domestic Judgment 21 renew every 5
- Foreign Judgment 21 renew every 5

BAD CHECK LAWS (CIVIL PENALTY)

The greater of \$200 or three times the amount of
check and attorney fees (no maximum)

GENERAL GARNISHMENT EXEMPTIONS

See federal law. Effective 3/30/99 Ohio allows
continuing garnishments.

OKLAHOMA

INTEREST RATE

Legal: 6% unless specified in contract - Judgment
5.63% for 2003 (4% over U.S. Treasury Bill Rate of
previous year)

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods Governed by UCC: 5 - Open Acct: 3 -
Written Contract 5 - Domestic Judgment 5 renewable
- Foreign Judgment 5 renewable

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

State law: 75% of earnings exempted, more if hardship
established. All federal exemptions apply.

OREGON

INTEREST RATE

Statutory + Judgment: 9% simple interest per annum
(Unless specified by contract)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Sale of Goods 6 (4 yrs UCC Transaction)
- Written Contract 6 - Domestic Judgment 10 renewable
at 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Can recover reasonable attorney fees & statutory
damages of three times the amount of the NSF check
or \$500 maximum if demand letter is sent to debtor 30
days before suit is filed.

GENERAL GARNISHMENT EXEMPTIONS

75% of disposable earnings over and above minimum
wage

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PENNSYLVANIA

INTEREST RATE

Legal: 6% - Judgment 6%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 4 - Domestic Judgment 5 (writ of revival within 5 yrs) - Foreign Judgment 4

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

100% of wages, certain pensions, retirement accounts & Keogh plan under certain circumstances and \$300

PUERTO RICO

INTEREST RATE

Legal: 6% changes every 6 months (01/01/2005-06/30/2005) - Judgment regulated by the Commissioner of the Board of Financial Institutions every 6 months

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - Merchandise Open Acct: 3 - Written Contract 15 - Mortgage 20 - Domestic Judgment 15 - Foreign Judgment 15

BAD CHECK LAWS (CIVIL PENALTY)

See articles 1851-1856 of the Puerto Rico Penal Code regarding bad check laws.

GENERAL GARNISHMENT EXEMPTIONS

75% of last 30 days' earnings for family support

RHODE ISLAND

INTEREST RATE

Legal: 12% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct:10 - Written Contract 10 - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount of check, \$25 fee & treble damage up to \$1000

GENERAL GARNISHMENT EXEMPTIONS

See federal law

SOUTH CAROLINA

INTEREST RATE

Legal: 8.75% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3-see SC Code Section 36-2-725 - Sale Goods (UCC): 6 - Written Contract 3 - Domestic Judgment 10 - Foreign Judgment 10 - Written Contract under Seal 20

BAD CHECK LAWS (CIVIL PENALTY)

Court costs amount of check & damages up to \$500 or 3x check amount whichever is smaller. See SC Code Section 34-11-90 for requirements to collect damages.

GENERAL GARNISHMENT EXEMPTIONS

Garnishment not available in SC

SOUTH DAKOTA

INTEREST RATE

Legal: 12% - Judgment 10%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Sale of Goods 4 - Written Contract 6 - Domestic Judgment 10 renewable for 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

20% of the individuals disposable earnings for a continuing lien

TENNESSEE

INTEREST RATE

Legal: 10% - Judgment 10% (or contract rate, whichever is greater)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 - Domestic Judgment 10 - Foreign Judgment 10

GENERAL GARNISHMENT EXEMPTIONS

See federal law. Add \$2.50 per wk. for dependent child under 16

TEXAS

INTEREST RATE

Legal: 18% with an agreement; can charge up to 6% without agreement - Judgment 5.5% (effective 4-15-05)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct:4 - Written Contract 4 - Promissory Note 6 - Domestic Judgment 10 renewable - Foreign Judgment 10 renewable

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

100% of Wages

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UTAH

INTEREST RATE

Legal: 10% - Judgment 3.41%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4 - Written Contract 6 - Domestic Judgment 8 - Foreign Judgment 8

BAD CHECK LAWS (CIVIL PENALTY)

Certified statutory bad check notice must be sent. Amount due, interest, court costs, reasonable attorney's fees, plus damage equal to greater of \$100 or three times check amount (not to exceed check amount plus \$500)

GENERAL GARNISHMENT EXEMPTIONS

\$142.50 of disposable earnings for wages paid weekly

VERMONT

INTEREST RATE

Legal: 12% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Retail Installment Contracts 3 - Witnessed Promissory Note 14 - Open Acct: 6 - Written Contract 6 - Domestic Judgment 8 - Foreign Judgment 8

BAD CHECK LAWS (CIVIL PENALTY)

Court costs, amount of check, attorney's fees, damage of \$50. (Notices required)

GENERAL GARNISHMENT EXEMPTIONS

75% of earning above minimum wage or what is necessary to live. 85% if personal, family or house held debt.

VIRGINIA

INTEREST RATE

Legal: 8% - Judgment 9% or contract rate whichever is higher

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 Last charge or payment - Written Contract 5 - Domestic Judgment 20 - Foreign Judgment 10 - Sales of goods under article 2 is 4 years

BAD CHECK LAWS (CIVIL PENALTY)

Lesser of \$250 or three times check amount

GENERAL GARNISHMENT EXEMPTIONS

See federal law

WASHINGTON

INTEREST RATE

Legal: 12% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 - Domestic Judgment 10 renewable - Foreign Judgment 10 renewable

BAD CHECK LAWS (CIVIL PENALTY)

Interest at rate specified in instrument or, if no specified rate, 12% interest plus collection costs up to \$40. If taken to court, reasonable attorney's fees, 3 x value, or up to \$800. Have 6 years to enforce a bad check.

GENERAL GARNISHMENT EXEMPTIONS

Greater of 75% or \$206 wk. (30 x state min. hourly wage)

WEST VIRGINIA

INTEREST RATE

Legal: 6% (Contract rate prevails. Contract rate can vary between 18% and 31% max) - Judgment 10%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 5 - Written Contract 10 - Domestic Judgment 10 - Foreign Judgment 10

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, service charge up to \$10. If check is under \$500.00 = misdemeanor. Over \$500.00 = felony.

GENERAL GARNISHMENT EXEMPTIONS

See West VA code 38-5A-3-Employees with hold 20% of disposable income or 30x the minimum hourly rate, whichever is less. Other exemptions apply.

WISCONSIN

INTEREST RATE

Legal: 5% - Judgment 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6 - Written Contract 6 - Domestic Judgment 20 - Foreign Judgment 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount of check plus actual damages + exemplary damages up to three times value of check. Limited to \$300

GENERAL GARNISHMENT EXEMPTIONS

80% of net pay

WYOMING

INTEREST RATE

Legal: 7% - Judgment contract rate or 10% judgment rate

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 8 - Written Contract 10 - Domestic Judgment 5 - Foreign Judgment 5

BAD CHECK LAWS (CIVIL PENALTY)

Three times amount of check but not less than \$100 plus collection fee of \$30

GENERAL GARNISHMENT EXEMPTIONS

See federal law for consumer credit sale, lease or loan. Up to 65% for child support arrearage.