

SUMMARY OF COLLECTION LAWS

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Please be advised that this is an “outline” of laws and it is not reflective of comprehensive statutes, nor is it intended as “legal advice”.
Changes can and do occur after publication.

We recommend that you contact an attorney on our list, for correct up to the minute information upon which to proceed.



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SUMMARY OF COLLECTION LAWS

We would like to take this opportunity to thank all the law firms that assisted us in updating the 2016 Summary of Collection Laws.

Federal Garnishment Exemption: **Federal Law exempts from garnishment 75% of disposable earnings per week, or an amount equal to 30 times 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. West Virginia and Kansas have "Equitable Distribution" Law with regard to marriage. Alaska married couples may elect to treat their assets as being owned by the marital community. Missouri is a common-law state, however, it recognizes "Tenancy by the Entireties". Montana has "Equitable Apportionment".

STATE: ALABAMA

INTEREST RATE

Legal: 7.5%
Pre-Judgment: 6% or the contract rate
Post-Judgment: for judgments entered after 9/1/2011 accrues at 7.5% or the contract rate; for judgments entered prior to September 2011 interest accrues at 12% or the contract rate.

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3
Written Contract: 6
Domestic Judgment: 20
Foreign Judgment: 20

BAD CHECK LAWS (CIVIL PENALTY)

Greater of \$10 or Actual Bank Charges

GENERAL GARNISHMENT EXEMPTIONS

75% of wages are exempt from garnishment

COLLECTION AGENCY

BOND & LICENSE

Alabama Dept. of Revenue, Sales,
Use & Business Tax Division
Business Licensing Section
PO Box 223
Montgomery, AL 36101-0223
(334) 832-2583; Fax: (334) 832-1390

*Thank you to Barry A. Friedman
& Associates, PC,
Birmingham, AL*

STATE: *ALASKA

INTEREST RATE

Legal: 4% - Re-set every Jan. 2
Judgment: 4% or contractual

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods: 4
Written Contract: 3
Domestic Judgment: No limit on judgment so long as writ of execution is obtained within 5 years of date of judgment and a gap of 5 years or more does not occur without a writ being outstanding."
Foreign Judgment: same as domestic (after domestication).

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 check.

GENERAL GARNISHMENT EXEMPTIONS

\$473 per week for earning exemption. May be increased to \$743 per week if qualified for head of household (no one else in household earning any money).

COLLECTION AGENCY

BOND & LICENSE

Dept. of Corporations, Business
& Professional Licensing
Business Licensing
PO Box 110806
Juneau, AK 99811-0806
(907) 465-2550 Fax: (907) 465-2974
businesslicense@alaska.gov

*Thank you to Routh Crabtree, APC,
Anchorage, AK*

STATE: *ARIZONA

INTEREST RATE

Legal: 10% unless a different rate is contracted for in writing.
Judgment: Lesser of 10% per annum; or at a rate per annum that is equal to 1% + prime; unless specifically provided for in statute or a different rate is contracted for in writing

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 or draft or fifty dollars, whichever is greater, plus costs and reasonable attorney's fees as allowed by the court. See A.R.S. 12-671 & A.R.S 13-1807.

GENERAL GARNISHMENT EXEMPTIONS

See federal law

COLLECTION AGENCY

BOND & LICENSE

Contact: Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
(602) 255-4421 Fax: (602) 381-1225
licensing@azdfi.gov
www.azdfi.gov

*Thank you to Lippman & Reed, PLLC,
Tucson, AZ*

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STATE: ARKANSAS

INTEREST RATE

Pre-Judgment: If none indicated, 6% pre-judgment; if provided in contract in writing and AR law applies, then no more than 5 points above the Primary Credit Rate at the time the contract is entered into.
Post-Judgment: 17%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 (Except medical which is 2 years)
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 \$25 charge per NSF check after 30 days.

GENERAL GARNISHMENT EXEMPTIONS

\$500 head of family; \$200 single. Includes personal property except clothing.
Homestead Exemptions: 1/4 acre plus home in city (urban). 80 acres plus home in country (rural).

COLLECTION AGENCY

BOND & LICENSE

Contact: Janet Wilson
State Board of Collection Agencies
523 S. Louisiana St., Suite 460
Little Rock, AR 72201
(501) 371-1438 Fax: (501) 372-5383
www.asbca.org
jwilson@asbca.com

*Thank you to Allen & Withrow,
Little Rock, AR*

STATE: *CALIFORNIA

INTEREST RATE

Legal: 10% only if written contract; if contract speaks to another rate, that rate prevails. If no written contract, then 7%.
Judgment: 10% (unless judgment states otherwise)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: Reduced to writing - 4
Open Acct: No writing - 2
Written Contract: 4
Domestic Judgment: 10 (renewable prior to 10)
Foreign Judgment: 10 (commencing with judgment debtor's commencement of CA residence)
Negotiable Instruments: Promissory Notes - 6

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, Treble damages - minimum \$100; maximum \$1500 per check. Requires that suit on the bad check itself be brought no later than three years from the date of the passing of the bad check.

GENERAL GARNISHMENT EXEMPTIONS

Due to various factors, a debtor's wages may be exempt anywhere from 75% - 100%. For wage levy, an exemption can be filed at any time. Only bank levy requires a claim of exemption within 10 days of service of levy.

COLLECTION AGENCY

BOND & LICENSE

Not Required

*Thank you to The Guerrini Law Firm,
Pasadena, CA*

STATE: COLORADO

INTEREST RATE

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

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3
Written Contract: 6 (signed promissory note)
Written Contract Goods Services: 3
Account Stated: 6 years (confirmed by Colorado Supreme Court 2012)
Domestic Judgment
District Court: 20 (renewable every 20)
County Court: 6 (renewable every 6)
Foreign Judgment: Same as above

BAD CHECK LAWS (CIVIL PENALTY)

Treble Damages & Reasonable Attorney Fees

GENERAL GARNISHMENT EXEMPTIONS

See Federal Law & C.R.S. 13-54-101 and 102

COLLECTION AGENCY

BOND & LICENSE

Contact: Collection Agency Board
1300 Broadway, 6th Floor
Denver, CO 80203
(720) 508-6020 Fax: (720) 508-6033
cab@state.co.us
www.coloradoattorneygeneral.gov/CA

*Thank you to Girsh and Rottman, P.C.,
Denver, CO*

STATE: CONNECTICUT

INTEREST RATE

Legal: 8%
Judgment: up to 10% discretionary
5% for debts arising from hospital services

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6
Written Contract: 6
Oral Contract: 3
Sale of Goods (UCC): 4
Domestic Judgment: 20/25 (execution to enforce/action based on judgment)
Small Claims Judgment: 10/15 (execution to enforce/action based on judgment)
Foreign Judgment: 20

BAD CHECK LAWS (CIVIL PENALTY)

Personal liability of signatory on corporate claims unless signed in corporate capacity. Liability of drawer, if no account, damages equal to lesser of \$750 or face amount of check. For insufficient of funds, lesser of \$400 or face amount of check.

GENERAL GARNISHMENT EXEMPTIONS

25% you may garnish disposable earnings each week, or amount by which disposable earnings exceed 40 x Federal Minimum hourly wage, whichever is less.

COLLECTION AGENCY

BOND & LICENSE

Contact: Department of Banking
Consumer Credit Division
260 Constitution Plaza
Hartford, CT 06103
(860) 240-8200
Fax: (860) 240-8215
jean.wright@ct.gov
www.state.ct.us/dob

*Thank you to Greene Law, P.C.,
Farmington, CT*

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STATE: DELAWARE

INTEREST RATE

Prejudgment interest at legal rate 6% (federal rate plus 5%) or contract rate.
Post-judgment interest at legal or contract rate.

STATUTE OF LIMITATIONS (IN YEARS)

Sale of Goods (UCC): 4
Open Acct.: 4
Written Contract: 3
Promissory Notes: 6
Personal Injury and Damage to Personal Property: 2
Judgment liens on real property: 10
Justice of the Peace Court: If more than 5 years pass without execution action, you must refresh the judgment by filing a motion prior to execution
Superior Court: 10

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

Wage garnishment may not exceed 15% of disposable earnings or reduce disposable earnings to less than \$150.00 a week.

COLLECTION AGENCY

BOND & LICENSE

Division of Revenue
820 N. French St.
Wilmington, DE 19801
Phone: (302) 577-8262 Fax: (302) 577-8662
www.state.de.us/revenue/index.htm

*Thank you to Ciconte, Wasserman,
Scerba & Kerrick, LLC,
Wilmington, DE*

STATE: DISTRICT OF COLUMBIA

INTEREST RATE

Legal: 3% in the absence of agreement in writing (it adjusts monthly so it varies between 2 & 3%)
Judgment: 70% of Interest Rates on taxes to IRS

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 3
Written Contract: 3
Domestic Judgment: 12, when recorded with Recorder of Deeds
Foreign Judgment: Foreign Statute
Instrument Under Seal: 12 years

BAD CHECK LAWS (CIVIL PENALTY)

Amount due - Protest fees

GENERAL GARNISHMENT EXEMPTIONS

See federal law. D.C. Government employees are now garnishable.

COLLECTION AGENCY

BOND & LICENSE

Contact: Department of Consumer and Regulatory Affairs
941 North Capitol Street NE
Washington, DC 20002
Phone: (202) 442-4400 Fax: (202) 442-9445
<http://dcra.dc.gov>

*Thank you to Weinstock, Friedman
& Friedman, P.A.,
Licensed in DC*

STATE: FLORIDA

INTEREST RATE

Judgment: 4.75% to be changed quarterly per F.S. § 55.03
Rates set quarterly by Florida Comptroller

STATUTE OF LIMITATIONS (IN YEARS)

Services rendered/goods sold & delivered: 4
Written Contract: 5
Domestic Judgment: 20 yr. duration, if recorded acts as lien on real property for 10 yrs; must be recorded for an additional 10 yrs. (Reflects current recording requirements).
Foreign Judgment: F.S. §55.501 et seq.

BAD CHECK LAWS (CIVIL PENALTY)

Initially face value of check plus \$25.00 - \$40.00, depending upon amount of check, or 5% of value, whichever is greater. If suit is required, after 30 day demand, treble amount in addition to amount owed, bank & court costs & reasonable attorney fees.

GENERAL GARNISHMENT EXEMPTIONS

Procedure pursuant to F.S. § 77.
Exemptions pursuant to F.S. § 222.

COLLECTION AGENCY

BOND & LICENSE

Contact: Florida Office of Financial Regulation
200 E. Gaines Street
Tallahassee, FL 32399
Phone: (850) 410-9895 Fax: (850) 410-9748
Electronic_licensing@mail.dbf.state.fl.us
www.dbf.state.fl.us/licensing/licensing-h.html

*Thank you to Steven J. Jacobson, P.A.,
Fort Lauderdale, FL*

STATE: GEORGIA

INTEREST RATE

Legal: 7%
Judgment: Prime + 3% (unless the contract specifies the interest rate, then the effective interest rate for post-judgment interest is the contract rate)
Commercial Accounts: 18%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 4
Written Contract: 6
Domestic Judgment: 7
Foreign Judgment: 10

BAD CHECK LAWS (CIVIL PENALTY)

After 10 day written demand double damages up to \$500 and service charge of \$30 or 5%, whichever is greater.

GENERAL GARNISHMENT EXEMPTIONS

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

COLLECTION AGENCY

BOND & LICENSE

Not required.

*Thank you to Simpson, Uchitel
& Wilson, LLP,
Atlanta, GA*

STATE: 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: Can be registered as long as it is still valid and has not expired in the foreign jurisdiction.

BAD CHECK LAWS (CIVIL PENALTY)

Damages equal to \$100 or triple amount of check, whichever is greater, 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

Contact: Sandra Matsushima
DCCA-PVL
ATTN: COLA
Box 3469
Honolulu, HI 96801
Phone: (808) 586-2693 Fax: (808) 586-2689
collection@dcca.hawaii.gov
www.hawaii.gov/dcca/areas/pvl/programs/collection

*Thank you to Law Offices of Marvin Dang,
Honolulu, HI*

STATE: *IDAHO

INTEREST RATE

Legal: 12%
Judgment: 5.375% as of July 1st (changes every July)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 4
Oral Contract: 4
Written Contract: 5
Domestic Judgments entered prior to 7/1/2015: 5 renewable
Foreign Judgments entered prior to 7/1/2015: 5 renewable
Domestic Judgments entered AFTER 07/01/2015: 10 renewable
Foreign Judgments entered AFTER 07/01/2015: 10 renewable

BAD CHECK LAWS (CIVIL PENALTY)

Triple amount of check (minimum \$100) up to \$500 over the check amount (only in small claims court).

GENERAL GARNISHMENT EXEMPTIONS

Idaho courts have not authorized the federal exemptions on garnishments, except with respect to continuing wage garnishments and student loan proceeds.

COLLECTION AGENCY BOND & LICENSE

Contact: Idaho Dept. of Finance
P.O. Box 83720
700 W. State St., 2nd Floor
Boise, ID 83720-0031
Phone: (208) 332-8000
Fax: (208) 332-8096
finance@finance.idaho.gov
<http://finance.state.id.us>

*Thank you to Doolittle Law, Chtd.
Boise, ID*

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STATE: ILLINOIS

INTEREST RATE

Legal: 5%
Judgment: 9%

STATUTE OF LIMITATIONS (IN YEARS)

Sales (UCC): 4
Credit Cards: 5
Auto Deficiency: 4
Medical: 5
Construction Cases: 4
Open Acct.: 5
Written Contract: 10
Domestic Judgment: 21
Foreign Judgment: Same as Illinois judgment once domesticated

BAD CHECK LAWS (CIVIL PENALTY)

Triple check amount up to \$1500, attorney fees, court costs. Statute of Limitations: 3 years after dishonor of the draft or up to 10 years after the date of the draft, whichever period expires first.

GENERAL GARNISHMENT EXEMPTIONS

Lesser of 15% of gross wages or disposable earnings for workweek up to 45 x fed. min. hourly wage

LICENSE

City of Chicago Ordinance requires debt collectors to be licensed.
City of Chicago
Dept. of Consumer Affairs and Consumer Protection
121 N. LaSalle Street, 8th Floor
Chicago, IL 60602
(312) 744-6060

COLLECTION AGENCY BOND & LICENSE

State of Illinois
Professional Services Sec.
Dept. of Professional Regulation
320 W. Washington St.
Springfield, IL 62786
Phone: (217) 785-0800 Fax: (217) 782-7645
www.idfpr.com/dpr/WHO/coll.asp

*Thank you to Matek & Mazar, LLC,
Chicago, IL*

STATE: INDIANA

INTEREST RATE

Legal: 8% (unless agreement between the parties)
Pre-Judgment: Contract interest rate or as approved by court.
Post-Judgment: 8% (unless contract sued upon provided for a lesser rate, in which case that rate applies post-judgment)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 6
Contract not in writing: 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) (executed before 9/1/82): 20
(executed after 8/31/82): 10
Written Contract for sale of goods: 4
Domestic Judgment:
10 on real estate (judgment may be renewed for additional 10 years)
20 against the person (rebuttable presumption of satisfaction after 20 years)
Action on Foreign Judgment: 10
An action on a foreign judgment must be commenced within 10 years.

BAD CHECK LAWS (CIVIL PENALTY)

Triple check amount up to \$500 over check amount, + attorney fees & interest up to 18% per annum or triple check amount + attorneys fees and interest at judgement rate and costs and travel expenses.

GENERAL GARNISHMENT EXEMPTIONS

25% of disposable earnings for work week or the amount of 30 x fed. min. hourly wage, whichever is greater. Standard exemption on deposit accounts of \$350.00.

COLLECTION AGENCY BOND & LICENSE

Contact: Securities Division
Office of the Secretary of State
302 W. Washington St., Room E 108
Indianapolis, IN 46204
Phone: (317) 232-6681 Fax: (317) 233-3675
www.in.gov/sos/securities/apps_forms.html

*Thank you to Welch, Gregg & Company LLC,
Muncie, IN*

STATE: IOWA

INTEREST RATE

Legal & Judgment: legal floating rate per T-Bill under Iowa Code 668.13

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 5
Written Contract: 10
Domestic Judgment: 10-can be renewed in the 9th year for additional 10 years.
Foreign Judgment: 10-can be renewed in the 9th year for additional 10 years.

BAD CHECK LAWS (CIVIL PENALTY)

Iowa Consumer Credit Code 537.2501(1)g allows 5% of check or \$20.00, whichever is greater.
Iowa Uniform Commercial Code 554.3513 allows 3 times face value of dishonored check, not to exceed more than \$500 amount of the check.
625.22 allows for reasonable attorney fees.

GENERAL GARNISHMENT EXEMPTIONS

Iowa has its own exemptions. See Iowa Code Chapter 627.

COLLECTION AGENCY BOND & LICENSE

Consumer Protection Division
1305 E Walnut
Hoover Building, 2nd Floor
Des Moines, IA 50319
Phone: (515) 281-5926 Fax: (515) 281-6771
consumer@ag.state.ia.us
www.state.ia.us/government/ag/consbusforms.htm

*Thank you to Abendroth & Russell, P.C.,
Des Moines, IA*

STATE: KANSAS

INTEREST RATE

Legal: 15%
Judgment: 4.75% - changes every July 1st
Limited Actions: 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 3
Sale of Goods: 4
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 by \$500 or \$100 whichever is greater, plus attorney fees & court costs plus amount of check.

GENERAL GARNISHMENT EXEMPTIONS

See Federal Law
Plus other personal property, benefit exemptions, and homestead.

COLLECTION AGENCY BOND & LICENSE

Contact: Secretary of State
1st Floor Memorial Hall
120 SW 10th Avenue
Topeka, KS 66612
Phone: (785) 296-4564
www.kssos.org

*Thank you to Robert A. Kumin, P.C.,
Overland Park, KS*

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STATE: KENTUCKY

INTEREST RATE

Legal: 8%
Judgment: 12%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 5
Written Contract: 10 (contracts executed after 7/15/14)
Oral Contract: 5
Domestic Judgment: 15
Foreign Judgment: 15
Sale of Goods: 4
Promissory Notes: 6 unless upon a bill of exchange then 5 yrs

BAD CHECK LAWS (CIVIL PENALTY)

N/A

GENERAL GARNISHMENT EXEMPTIONS

75% of disposable income or 30 times the federal minimum hourly wage (whichever is greater).

COLLECTION AGENCY**BOND & LICENSE**

Not Required

*Thank you to Lloyd & McDaniel, P.L.C.,
Louisville, KY*

STATE: *LOUISIANA

INTEREST RATE

Legal: 4.00% from 01/01/2011
Judgment: 4.00% from 01/01/2011

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. min. hourly wage.

COLLECTION AGENCY**BOND & LICENSE**

Not Required as of August 15, 2003

*Thank you to Edward F. Bukaty, III, P.L.C.,
Metairie, LA*

STATE: MAINE

INTEREST RATE

Pre-judgment interest (from the date a notice of claim or complaint is filed until judgment is granted) and Post-Judgment interest are granted either at the contractual rate, if there is a contract between the parties, or at a rate set by statute.

The statutory rate is set yearly, by formula that appears in 14 M.R.S. Section 1602-B and 1602-B. The rate is set yearly and published on the judiciary's website.

Post-Judgment formula for the Statutory rate: the one-year United States Treasury bill rate plus 6%, as defined by the statute. Pre-Judgment formula for the Statutory rate: at the one-year United States Treasury bill rate plus 3%, as defined by the statute.

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 6
Sales of Goods: 4
Written Contract: 6 + 20 (with attestation)
Judgments (Domestic & Foreign):
Rebuttable presumption that judgment has been paid after 20 years.

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, court costs, service costs & collection costs.
Civil Penalties for Bad Checks: amount of the check, court costs, processing charges by the holder, interest at 12% from the date of dishonor, reasonable attorneys' fees if not paid before hearing. Additional damages are allowed upon a 2nd dishonor.

GENERAL GARNISHMENT EXEMPTIONS

Garnishment order can capture up to 25% of after tax wages; \$300/wk is exempt.

COLLECTION AGENCY**BOND & LICENSE**

Office of Consumer Credit Regulation
35 State House Station
Augusta, ME 04333-0035
Phone: (207) 624-8527 Fax: (207) 582-7699
www.state.me.us/ptr/ccp/ccp_index.htm

*Thank you to Susan J. Szwed, P.A.,
Portland, ME*

STATE: 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 (Upon domestication): 12

BAD CHECK LAWS (CIVIL PENALTY)

After 30 day written notice, amount due, \$25 fee, twice check amount up to \$1000. Applies to COD sales only.

GENERAL GARNISHMENT EXEMPTIONS

1) The greater of (a) 75% of the disposable wages due; OR (b) 30 times the federal minimum hourly wages under the Fair Labor Standards Act in effect at the time the wages are due; AND 2) any medical insurance payment deducted from an employee's wages by the employer. Other federal exemptions may be available. Disposable wages means the part of wages that remain after deduction of any amount required to be withheld by law.

COLLECTION AGENCY**BOND & LICENSE**

Contact: Department of Labor, Licensing and Regulation
Commissioner of Financial Regulation
500 North Calvert Street
Suite 402
Baltimore, MD 21202
Phone: (410) 230-6100
Fax: (410) 333-3866 or (410) 333-0475
finreg@dlr.state.md.us
www.dlrr.state.md.us/finance/

*Thank you to Kenneth J. Breitbart
& Associates, P.A.,
Pikesville, MD*

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STATE: MASSACHUSETTS

INTEREST RATE

Legal: 12%
Judgment: 12%
Contract: 12%
Unless agreed to a higher rate in writing by debtor, but not to exceed usury rate which varies based on transaction.

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct. on Contract: 6
Contract: 6
Sales (UCC) Contract: 4
Domestic Judgment: 20 (presumed satisfied after 20 years) Can be extended for 20 yr. periods
Foreign Judgment: 20 (needs to be domesticated by suit)
Contracts Under Seal: 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, costs of suit, protest fees. Additional damages \$100 - \$500 can be assessed.
M.G.L., Ch. 93A, may give up to treble damages if you can show the Court that the bad check obtained was given as an "unfair and deceptive act, business or trade practice"

GENERAL GARNISHMENT EXEMPTIONS

Wages equal to the greater of 85% of debtors gross wages or 50 times more than Federal or MA (whichever is higher) hourly minimum wage per week.
Bank Account: \$2,500.00
Vehicle: \$7,500.00

COLLECTION AGENCY BOND & LICENSE

Division of Banks
One South Station 3rd Floor
Boston, MA 02110
Phone: (617) 956-1500 Fax: (617) 956-1599
www.mass.gov/dob

*Thank you to Woodworth & Frisella,
Sturbridge, MA*

STATE: MICHIGAN

INTEREST RATE

Open account or promissory note: 5% per annum (or 7% if interest is in writing)
If credit card or written contract between corporations: contractual rate until judgment when the rate of interest is capped at 13%
Usury Limit: 25%
Judgment: 1% over the US Treasury note (it changes Jan. 1 & July 1) unless there is a contract in which event the rate of interest is governed by the contract.
Usury limit 25%

STATUTE OF LIMITATIONS (IN YEARS)

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

BAD CHECK LAWS (CIVIL PENALTY)

Face amount of the check plus twice the amount of check or \$100.00 per check, whichever is greater, plus costs of \$250.00.
Notice Requirements for Commercial and Retail.

GENERAL GARNISHMENT EXEMPTIONS

See federal law.

COLLECTION AGENCY BOND & LICENSE

Contact: Licensing and Regulatory Affairs
P.O. Box 30018
Lansing, MI 48909
Phone: (517) 241-9288 Fax: (517) 373-3085
bcslic@michigan.gov
www.michigan.gov/lara

*Thank you to Berndt & Associates, P.C.,
Warren, MI*

STATE: MINNESOTA

INTEREST RATE

Legal: 6% (unless different rate in contract)
Judgment: 4% (Changes Yearly); 10% if judgment over \$50,000
Business or Agricultural Loan: 4.5% over federal discount rate

STATUTE OF LIMITATIONS (IN YEARS)

Goods Sold & Delivered (UCC): 4
Contract for Sale : 4
Lease Contract : 4
Note Payable : 6
Open Acct.: 6
Written Contract: 6
Transportation Service: 3
Domestic Judgment: 10
Foreign Judgment: 10 from date of original judgment

BAD CHECK LAWS (CIVIL PENALTY)

\$100 or up to 100% of the value of the check, whichever is greater, plus interest at the rate payable on judgments on the face amount of check, plus reasonable attorney fees if aggregate amount of checks within 6 month period is over \$1250 plus service fee not to exceed \$30.

GENERAL GARNISHMENT EXEMPTIONS

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

STATE: MINNESOTA (cont.)

COLLECTION AGENCY BOND & LICENSE

Department of Commerce
Licensing Division
85 7th Place East
St. Paul, MN 55101-3165
Phone: (651) 296-6319
Fax: (651) 284-4107
licensing.commerce@state.mn.us
www.commerce.state.mn.us

*Thank you to Johnson & Autrey, PLLP,
Grand Forks ND
Licensed in ND & MN*

STATE: 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
Deficiency Suit: 1 year from date of sale

BAD CHECK LAWS (CIVIL PENALTY)

In civil actions to collect on bad checks: For checks up to and including \$25.00, damages recoverable are face amount of the check, plus service charge of \$30.00 plus reasonable attorney fees if suit filed by attorney.

For check over \$25.00 damages recoverable are face amount of the check, service charge of \$40 plus reasonable attorney fees if suit filed by an attorney

GENERAL GARNISHMENT EXEMPTIONS

See federal law.
State Law: 30 days wages after service of process.

COLLECTION AGENCY BOND & LICENSE

Not Required.

*Thank you to Young Wells Williams P.A.
Jackson, MS*

THE NATIONAL LIST® OF ATTORNEYS

STATE: MISSOURI

INTEREST RATE

Legal: 9% or contract rate
Judgment: 9% (suggestion: any judgment entered should recite that interest will accrue on this judgment at the rate of nine percent per annum)

STATUTE OF LIMITATIONS (IN YEARS)

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

BAD CHECK LAWS (CIVIL PENALTY)

Three times face amount owed up to \$500, plus reasonable attorney's fees (RSMo 570.123)

GENERAL GARNISHMENT EXEMPTIONS

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

COLLECTION AGENCY BOND & LICENSE

Not Required.

*Thank you to Jay B. Umansky, P.C.,
St. Louis, MO*

STATE: MONTANA

INTEREST RATE

Legal: 10% (up to 15% if there is a signed written agreement)
Judgment: 10%

STATUTE OF LIMITATIONS (IN YEARS)

Contract not in Writing: 5 (includes credit cards)
Written Contract: 8
Judgment: 10 (District Court & Justice Court)
Tort Claim (Subrogation) Prop & Personal Injury: 3 (property damage only, no negligence - 2yrs)

BAD CHECK LAWS (CIVIL PENALTY)

Service charge plus the greater of \$100 or three times the amount for which the check, draft, converted check, electronic funds transfer, or order was issued. However, damages may not exceed the value of the check, draft, converted check, electronic funds transfer, or order by more than \$500.

GENERAL GARNISHMENT EXEMPTIONS

See Federal Law.

COLLECTION AGENCY BOND & LICENSE

No State Regulation

*Thank you to Smith Law Firm, P.C.,
Helena, MT*

STATE: NEBRASKA

INTEREST RATE

Legal: Contract rate or judgment 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 - Judgments go dormant if no execution is issued within 5 years of entry of last execution.

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, costs, protest fees

GENERAL GARNISHMENT EXEMPTIONS

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

COLLECTION AGENCY BOND & LICENSE

Collection Agency Licensing Board
Secretary of State
Licensing Division
1445 K St., Ste. 1305
Lincoln, NE 68509
Phone: (402) 471-8606 Fax: (402) 471-2530
LicensingAssistant@sos.ne.gov
www.sos.state.ne.us/licensing/collection/
index.html

*Thank you to Dean J. Jungers,
Bellevue, NE*

STATE: *NEVADA

INTEREST RATE

Contract rate always prevails. If no contract then Nevada statutory rate applies.
Pre-judgment: Statutory rate = 2% Over Prime as determined by the C.F. I. every January 1st and July 1st.
Judgment: Same as pre-judgment (If contract, that rate applies).

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 50 times federal minimum hourly wage (whichever is less) except for support orders.

COLLECTION AGENCY BOND & LICENSE

Contact: Nevada Financial Institutions Division
2785 E Desert Inn Rd.
Las Vegas, NV 89121
Phone: (702) 486-4120 Fax: (702) 486-4563
www.fid.state.nv.us

*Thank you to Dubowsky Law Office, Chtd.,
Las Vegas, NV*

STATE: NEW HAMPSHIRE

INTEREST RATE

Judgment: 2.1% (changes every year on the 1st of the January).

STATUTE OF LIMITATIONS (IN YEARS)

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

BAD CHECK LAWS (CIVIL PENALTY)

Amount due, interest, court costs, reasonable attorneys' fees & \$10 per 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.

COLLECTION AGENCY BOND & LICENSE

Not Required.

*Thank you to H. Scott Haskell,
Exeter, NH*

STATE: NEW JERSEY

INTEREST RATE

Legal: up to 30% - as provided for by contract
Judgment: Changes yearly. In 2013 - 0.25% 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 (unless it is in the state where it originally obtained, in which case it will expire at the same time as original judgment)
Retail Installment-Motor Vehicle Deficiency Balance: 4

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

\$217.50 wk. min. 10% of gross earnings
\$217.5 & Over

COLLECTION AGENCY BOND & LICENSE

Contact: NJ Division of Revenue
Corporate Filing Unit
PO Box 308
Trenton, NJ 08625
Phone: (609) 292-9292
www.state.nj.us/treasury/revenue/
filecollagbond.htm

*Thank you to Gary S. Lewis,
Attorneys at Law, LLC,
East Hanover, NJ*

THE NATIONAL LIST® OF ATTORNEYS

STATE: *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
Auto Deficiency: 4
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.

COLLECTION AGENCY**BOND & LICENSE**

Financial Institutions Division
2550 Cerrillos Road, 3rd Floor
Santa Fe, NM 87505
Phone: (505) 476-4885 Fax: (505) 476-4670
FID@state.nm.us
www.rld.state.nm.us/fid

*Thank you to Thomason Law Firm, P.C.,
Albuquerque, NM*

STATE: 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). "Conspicuous" reporting required. GEN.OB.11-104.

GENERAL GARNISHMENT**EXEMPTIONS**

Exemption amount varies for tipped employees and fast food workers

COLLECTION AGENCY**BOND & LICENSE**

Contact: New York State Dept of State
Division of Corporation State Records and
Uniform Commercial Code
41 State Street
Albany, NY 12231-0001
Phone: (518) 474-0050 Fax: (518) 474-4765
info@dos.state.ny.us
www.dos.state.ny.us

*Thank you to L. Blake Morris,
New York, NY*

STATE: *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 fees, etc.

COLLECTION AGENCY**BOND & LICENSE**

Contact: North Carolina Dept. of Insurance
Agent Services Division
1204 Mail Service Center
Raleigh, NC 27699-1204
Phone: (919) 807-6800 Fax: (919) 715-3794
www.ncdoi.com

*Thank you to Small & Small, Attorneys,
Winston-Salem, NC*

STATE: NORTH DAKOTA

INTEREST RATE

Legal: 6%
Judgment: 6.5%

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 up to \$35 and civil penalty by civil action for lesser of \$200 or 3 times the amount of the check.

GENERAL GARNISHMENT**EXEMPTIONS**

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

COLLECTION AGENCY**BOND & LICENSE**

Contact: Robert J. Entringer, Chairperson
Dept. of Financial Institutions
2000 Schafer Street, Suite G
Bismarck, ND 58501-1204
Phone: (701) 328-9933
dfi@state.nd.us
www.discovernd.com/dfi

*Thank you to Johnson & Autrey, PLLP,
Grand Forks, ND*

STATE: OHIO

INTEREST RATE

Legal: 3% (linked to the interest rate of overdue taxes set by the tax commissioner and changes each year)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 6
Sales Contract (UCC2-725)
Written Contract: 8
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.
The person's interest, not to exceed four hundred dollars, in cash on hand, money due and payable, money to become due within ninety days, tax refunds, and money on deposit with a bank, savings and loan association, credit union, public utility, landlord, or other person, other than personal earnings.

COLLECTION AGENCY**BOND & LICENSE**

Contact: Secretary of State
Client Service Center
30 E. Broad St.
Lower Level
Columbus, OH 43215
(614) 466-3910 or 1-877-767-6446
Fax: (614) 644-0649
busserv@sos.state.oh.us
www.state.oh.us/sos

*Thank you to Glennon Law Firm, LLC,
Cincinnati, OH*

STATE: OKLAHOMA

INTEREST RATE

Legal: 6% unless specified in contract
Judgment: 5.50% (Rate changes on January 1st of each year and is two percentage points above the prime interest rate quoted in the Wall Street Journal on the first business day of the 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.

COLLECTION AGENCY**BOND & LICENSE**

Not Required

*Thank you to Reynolds, Ridings,
Vogt & McCart, P.L.L.C.,
Oklahoma City, OK*

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STATE: 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 + Renewable for 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

COLLECTION AGENCY

BOND & LICENSE

Collection Licensing
Div. of Finance and Corporate Securities
PO Box 14480
Salem, OR 97309-0405
Phone: (503) 378-4140 Fax: (503) 947-7862
dcbs.dfcsmail@state.or.us
<http://dfcs.oregon.gov>

*Thank you to Davis Galm Law Firm,
Beaverton, OR*

STATE: PENNSYLVANIA

INTEREST RATE

Legal: 6%
Judgment: 6% unless plead otherwise and approved by the court

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 4
Written Contract: 4
Domestic Judgment: 5 (can be revived)
Lien Against Real Estate: 5
Personal property Ex: 20 yrs.
Foreign Judgment: 4

BAD CHECK LAWS (CIVIL PENALTY)

After obtaining a criminal conviction, and subsequently obtaining a civil judgement, the payee may recover damages in an amount equal to \$100 or triple the amount for which the check was drawn, whichever is greater.

GENERAL GARNISHMENT

EXEMPTIONS

Certain retirement funds and accounts; certain insurance proceeds; particular personal property exemptions including: wearing apparel, bibles and school books, sewing machines, uniforms and equipment; social security benefits; certain veteran benefits; unemployment compensation; wages (except for alimony, child support and limited landlord/tenant); and a \$300.00 general monetary exemption is available to all individuals.

COLLECTION AGENCY

BOND & LICENSE

Not Required

*Thank you to Shapira, Hutzelman,
Berlin, Ely, Smith & Walsh,
Erie, PA*

STATE: *PUERTO RICO

INTEREST RATE

Legal: at present 4.25% changes every 6 months

The legal interest is granted by the judge in the judgment. The rate established for the legal interest is regulated by the Commissioner of the Board of Financial Institutions.

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 5
Merchandise Open Acct: 5
Written Contract: 15 years under Civil Code of Puerto Rico (personal actions) or Commercial Code of Puerto Rico provides other terms
Mortgage: 20 years starting from the date of mortgage's accrual.
Domestic Judgment: 15
Foreign Judgment: 15
Freight, transport: Six (6) months from the date the merchandise was delivered.

BAD CHECK LAWS (CIVIL PENALTY)

Misdemeanor - Please refer to local Penal Code - One year term. Commercial Codes for all applicable commercial actions.

GENERAL GARNISHMENT

EXEMPTIONS

It is prohibited to execute 75% of debtor's earnings for family support 30 days prior from the order to execute.

COLLECTION AGENCY

BOND & LICENSE

Bureau of Enforcement
Dept. of Consumer Affairs
Commonwealth of Puerto Rico
Box 41059 Minillas Station
San Juan, PR 00940
Phone: (787) 721-0940 Fax: (787) 726-0077

*Thank you to Santiago & Santiago,
Bayamon, PR*

STATE: RHODE ISLAND

INTEREST RATE

Legal: 12%
Judgment: 12%
Usury: 21% or 9% plus the prime rate

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 10
Written Contract: 10
Contract for Sale: 4
Domestic Judgment: 20
Foreign Judgment: 20

BAD CHECK LAWS (CIVIL PENALTY)

Amount of check, collection fee of \$25 and treble damages of a minimum of \$200 to a maximum of \$1000.

GENERAL GARNISHMENT

EXEMPTIONS

See RI General Laws section 9-26-4
See federal law.

COLLECTION AGENCY

BOND & LICENSE

Contact: Department of Business Regulation
1511 Pontiac Ave
Cranston, RI 02920
Phone: (401) 462-9500 Fax: (401) 462-9532
www.dbr.state.ri.us

*Thank you to William M. Kolb, LLC
Providence, RI*

STATE: SOUTH CAROLINA

INTEREST RATE

Legal: 8.75%
Judgment: 7.5% (changes every January 1st)

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 3 - see SC Code
Section 15-3-530
Sale of 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 34-11-75 for requirements to collect damages.

GENERAL GARNISHMENT

EXEMPTIONS

Garnishment not available in SC.

COLLECTION AGENCY

BOND & LICENSE

Not Required

*Thank you to Grimsley Law Firm,
Columbia, SC*

STATE: SOUTH DAKOTA

INTEREST RATE

Legal: Contract rate or 10% if no contract
Judgment: 10%

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct: 6
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.

COLLECTION AGENCY

BOND & LICENSE

Contact: Secretary of State
Capitol Building
500 East Capitol Ave., Ste. 204
Pierre SD 57501-5070
Phone: (605) 773-4845 Fax: (605) 773-4550
sdsos@state.sd.us
www.state.sd.us/sos

*Thank you to Steven R. Binger, L.L.C.,
Sioux Falls, SD*

THE NATIONAL LIST® OF ATTORNEYS

STATE: TENNESSEE

INTEREST RATE

Judgment: Statutory rate of 5.25%, or the interest rate provided by parties
Generally: See T.C.A. 47-14-101 et seq

STATUTE OF LIMITATIONS (IN YEARS)

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

BAD CHECK LAWS (CIVIL PENALTY)

See T.C.A 47-29-101

If, with fraudulent intent, person stops payment on the check, allows the check to be dishonored for lack of funds, failure to have an account or lack of authorized signature or necessary endorser, if found liable in a civil action is liable for: Amount of Check; Interest at 10%; Reasonable Service Charge; Court Costs and Reasonable Attorneys' Fees.

If person who executed and delivered check does not pay holder full amount of check within 30 days after mailing of written notice that check has not been paid and that treble damages will be sought upon fraudulent intent the court can award treble damages up to \$500, reasonable attorneys' fees and court costs.

GENERAL GARNISHMENT EXEMPTIONS

T.C.A 26-2-106

The maximum part of the aggregate disposable earnings of an individual for any work-week which is subjected to garnishment may not exceed: Twenty-five percent (25%) of the disposable earnings for that week; or
(2) The amount by which the disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage at the time the earnings for any pay period become due and payable, whichever is less.
(b) In the case of earnings for any pay period other than a week, an equivalent amount shall be in effect.
(c) The debtor shall pay the costs of any and all garnishments on each debt on which suit is brought.

Specific Exemptions from Garnishment or Execution: See 26-2-101 et seq.

There is a \$10,000 personal property exemption which ust be claimed by the Judgment debtor in order to avoid personal property executions see T.C.A. 26-2-103

Homestead Exemption: See T.C.A. 26-2-301 et seq.

COLLECTION AGENCY BOND & LICENSE

Tennessee Collection Service Board
Davey Crockett Tower
500 James Robertson Pkwy., 6th Fl.
Nashville, TN 37243
Phone: (615) 741-1741 Fax: (615) 741-1245
www.tn.gov/commerce/section/collections
Collection.Service@TN.Gov

*Thank you to Buffaloe & Associates PLC,
Nashville, TN*

STATE: *TEXAS

INTEREST RATE

Legal: 18% with an agreement; can charge up to 6% without agreement; statutory interest of 6% begins to run 30th day after debt comes due.

Judgment: 5% but changes with the prime rate. Cannot go below 5%.

*Always consult counsel to charge interest - Texas has very onerous usury laws & penalties.

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, except for IRS taxes, student loans and child support. Always consult an attorney because there could be exceptions.

COLLECTION AGENCY BOND & LICENSE

Contact: Secretary of State
Statutory Document Section
P.O. Box 13697
Austin, TX 78711
Phone: (512) 475-0775 Fax: (512) 463-0873
corpHELP@sos.state.tx.us
www.sos.state.tx.us/corp

*Thank you to Totz Ellison Totz, P.C.,
Houston, TX*

STATE: UTAH

INTEREST RATE

Legal: 10.65% (judgments under \$10,000 regarding the purchase of goods and services)

Judgment: 2.65%

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

\$196.50 of disposable earnings for wages paid weekly.

COLLECTION AGENCY BOND & LICENSE

Dept. of Commerce
Div. of Corporations and Commercial Code
160 E. 300 S.
Salt Lake City, UT 84111
Phone: (801) 530-4849 Fax: (801) 530-6438
corpucc@utah.gov
www.commerce.utah.gov/cor/ca.html

*Thank you to Stephen B. Elggren, P.C.,
Sandy, UT*

STATE: VERMONT

INTEREST RATE

Legal: 12%
Judgment: 12%

STATUTE OF LIMITATIONS (IN YEARS)

Retail Installment Contracts: 4
Witnessed Promissory Note: 14
Open Acct: 6

Written Contract: 6
Domestic Judgment: 8
Foreign Judgment: 8

BAD CHECK LAWS (CIVIL PENALTY)

The lesser of \$250 or three times the amount of the check, draft or order. (ß 8.01-27.2) Plus:

(i) legal interest from the date of the check,
(ii) the protest or bad check return fee, if any, charged to the holder by his bank or other depository, (iii) a processing charge of \$50, and (iv) reasonable attorney's fees if awarded by the court. (ß 8.01-27.1)

GENERAL GARNISHMENT EXEMPTIONS

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

COLLECTION AGENCY BOND & LICENSE

Contact: Ali Sarafzade - Division Director
Secretary of State - Corporations Division
128 State St.
Montpelier, VT 05632-1104
(802) 828-2386 Fax: (802) 828-2853
bpoulin@heritage.sec.state.vt.us
www.sec.state.vt.us/corps/corindex.htm

*Thank you to Mayer & Mayer,
South Royalton, VT*

STATE: VIRGINIA

INTEREST RATE

Legal: 6%
Judgment: 6%

STATUTE OF LIMITATIONS (IN YEARS)

Unwritten Contract: 3
Written Contract: 5
Domestic Judgment: 20
Foreign Judgment: 20 (properly docketed in Circuit Court)
Sales of goods under article 2: 4

BAD CHECK LAWS (CIVIL PENALTY)

Lesser of \$250 or three times check amount

GENERAL GARNISHMENT EXEMPTIONS

See federal law

COLLECTION AGENCY BOND & LICENSE

Not Required.

*Thank you to Gelber & Associates, PLLC,
Falls Church, VA*

THE NATIONAL LIST® OF ATTORNEYS

STATE: *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 \$300. Have 6 years to enforce a bad check.

GENERAL GARNISHMENT

EXEMPTIONS

Greater of 75% or \$253.75 wk. (35 x federal min. hourly wage).

COLLECTION AGENCY

BOND & LICENSE

Dept. of Licensing
Collection Agency Licensing Program
P.O. Box 9034
Olympia, WA 98507-9034
Phone: (360) 664-1389 Fax: (360) 570-7875
Collect@dol.wa.gov
www.dol.wa.gov/mls/colfront.htm

*Thank you to Stephen A. Bernheim,
Edmonds, WA*

STATE: WEST VIRGINIA

INTEREST RATE

Legal: 7% (Contract rate prevails. Contract rate can vary between 18% and 31% max.)
Judgment: 7% (changes each year based on a certain Federal rate)

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. Creditor cannot pursue both a civil complaint and criminal complaint on a bad check; they must choose one or the other

GENERAL GARNISHMENT

EXEMPTIONS

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

COLLECTION AGENCY

BOND & LICENSE

West Virginia State Tax Dept.
PO Box 11425
Charleston, WV 25339-1425
Phone: (304) 558-8500
Fax: (304) 558-1990
www.state.wv.us/taxdiv

*Thank you to Burton Neil
& Associates, P.C
Licensed in WV*

STATE: *WISCONSIN

INTEREST RATE

Legal: 5%
Judgment: 1% plus the prime

STATUTE OF LIMITATIONS (IN YEARS)

Open Acct.: 6
Written Contract: 6
Domestic Judgment: 20
Foreign Judgment: 20
Insurance Subrogation: 3 (medical/physical) / 6 (property)

BAD CHECK LAWS (CIVIL PENALTY)

Amount of check plus actual damages + exemplary damages up to three times value of check. Limited to \$500.

GENERAL GARNISHMENT

EXEMPTIONS

80% of the debtor's disposable earnings are exempt from garnishment.
\$5,000 of a consumer's deposit account

COLLECTION AGENCY

BOND & LICENSE

Contact: Department of Financial Institutions
Licensed Financial Services Section
4th Floor
345 W Washington Avenue
Madison, WI 53703
PO Box 7876
Madison, WI 53707-7876
(608) 261-7578 Fax: (608) 267-6889
www.wdfi.org/fi/lfs/ca/default.htm

*Thank you to Daubert Law Firm, LLC,
Wausau, WI*

STATE: 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
Judgments can be revived for up to 21 years

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.

COLLECTION AGENCY

BOND & LICENSE

Contact: Collection Agency License Board
Dept. of Audit, Div. of Banking
Herschler Bldg., 3rd Floor East
122 W. 25th Street
Cheyenne, WY 82002
Phone: (307) 777-3497 Fax: (307) 777-3555
dawn.colarusso1@wyo.gov
wyomingbankingdivision.wyo.gov

*Thank you to Edmonds & Logue PC,
Cheyenne, WY*