

ASSEMBLY, No. 4900

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 29, 2020

Sponsored by:
Assemblyman GARY S. SCHAER
District 36 (Bergen and Passaic)

SYNOPSIS

Exempts \$1,000 in bank account from civil seizure or execution following certain emergency declarations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning exemptions from civil seizures and executions
2 and amending N.J.S.2A:17-19.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. N.J.S.2A:17-19 is amended to read as follows:

8 a. Goods and chattels, shares of stock or interests in any
9 corporation and personal property of every kind, not exceeding in
10 value, exclusive of wearing apparel, \$1,000.00, and all wearing
11 apparel, the property of a debtor shall be reserved, both before and
12 after his death, for his use or that of his family or his estate, and
13 shall not be liable to be seized or taken by virtue of any execution
14 or civil process whatever, issued out of any court of this State.

15 Nothing herein contained shall be deemed or held to protect from
16 sale under execution or other process any goods, chattels or
17 property, for the purchase whereof the debt or demand for which the
18 judgment on which such execution or process was issued, shall have
19 been contracted, or to apply to process issued for the collection of
20 taxes or assessments.

21 b. No person shall seize or take by any execution or civil
22 process an amount of \$1,000 or less in a bank account, provided
23 that:

24 (1) the governor has declared a public health emergency
25 pursuant to P.L.2005, c.222 (C.26:13-1 et seq.) or state of
26 emergency pursuant to P.L.1942, c.251 (C.App.A:9-33); and

27 (2) the Attorney General of the State of New Jersey has
28 determined that the protections afforded pursuant to this subsection
29 are necessary.

30 The bank account protection afforded pursuant to this subsection
31 shall go into effect on a date to be determined by the governor and
32 the Attorney General, and shall expire 16 months following the
33 expiration of the public health emergency or state of emergency.

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35 2. This act shall take effect 90 days after enactment.

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38 STATEMENT

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40 This bill exempts an amount of \$1,000 or less in bank accounts
41 from civil seizure, provided that a State of Emergency or Public
42 Health Emergency has been declared by the Governor, and the
43 Attorney General has determined that such protections are
44 necessary. This is intended to allow flexibility to apply the
45 protections only to affected areas in the event that a State of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 Emergency or Public Health Emergency affects only certain regions
2 of the State.

3 This protection takes effect on a date determined by the
4 Governor and the Attorney General, and expires 16 months after the
5 declaration of a State of Emergency or Public Health Emergency
6 has expired.