

2026 Regular Session

SENATE BILL NO. 173

BY SENATOR MORRIS

CIVIL PROCEDURE. Provides for the garnishment process for banks. (8/1/26)

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AN ACT

To amend and reenact Code of Civil Procedure Art. 2415(B) and to enact Code of Civil Procedure Art. 2415(C) and (D), relative to garnishments; to provide for delivery of property or payment of indebtedness to sheriff; to provide relative to financial institutions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 2415(B) is hereby amended and reenacted and Code of Civil Procedure Art. 2415(C) and (D) are hereby enacted to read as follows:

Art. 2415. Delivery of property or payment of indebtedness to sheriff

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**B. Notwithstanding the requirements provided in Paragraph A of this Article, if the garnishee is a federally insured financial institution and admits in its answer that it has in its possession funds on deposit belonging to the judgment debtor, and the garnishee has received no notice of opposition to the garnishment, then, if the funds on deposit are one thousand dollars or less, the garnishee may, without further court order, deliver the funds immediately to the sheriff. Delivery or payment to the sheriff discharges the garnishee's**

1           obligation to the judgment debtor to the extent of the delivery or payment to the  
2           sheriff.

3           C. Notwithstanding the requirements provided in Paragraph A of this  
4           Article, if the garnishee is a federally insured financial institution and admits  
5           in its answer that it has in its possession funds on deposit belonging to the  
6           judgment debtor, and the garnishee has received no notice of opposition to the  
7           garnishment, and if the funds on deposit are greater than one thousand dollars,  
8           then the garnishee may, upon waiting a period of thirty days after the filing of  
9           its garnishment answer, and without further court order, deliver the funds on  
10           deposit to the sheriff. Delivery or payment to the sheriff discharges the  
11           garnishee's obligation to the judgment debtor to the extent of the delivery or  
12           payment to the sheriff.

13           D. This Article does not apply to garnishment of wages, salaries, tips reported  
14           to the employer, or commissions.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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DIGEST

SB 173 Original

2026 Regular Session

Morris

Present law requires the garnishee to deliver the property immediately to the sheriff or to pay him the indebtedness when due, when a garnishee, admits in his answers or when a trial of a contradictory motion found that he is in possession of property belonging to the judgment debtor or is indebted to him. Further provides that delivery or payment to the sheriff discharges the garnishee's obligation to the judgment debtor.

Proposed law retains present law and further provides that if a garnishee is a federally insured financial institution and admits in its answer that it has in its possession funds on deposit belonging to the judgment debtor, and the garnishee has received no notice of opposition to the garnishment, and the funds on deposit are \$1,000 or less, then the garnishee is allowed to deliver the funds immediately to the sheriff.

Proposed law provides that if a garnishee is a federally insured financial institution and admits in its answer that it has in its possession funds on deposit belonging to the judgment debtor, and the garnishee has received no notice of opposition to the garnishment, and the funds on deposit are greater than \$1,000, then the garnishee may deliver the funds on deposit to the sheriff after 30 days.

Effective August 1, 2026.

(Amends C.C.P. Art. 2415(B); adds C.C.P. Art. 2415(C) and (D))