

SUMMARY OF COLLECTION LAWS

The following Summary is intended as a quick reference to the subjects covered. It does not reflect Federal Statutes, and it may not reflect amendments to the laws of all states.

This chart should not be construed as legal advice and readers should not act upon the information contained in it without professional counsel.

LOCATION	STATUTE OF LIMITATIONS				STATE INTEREST RATE		BAD CHECK LAWS	GENERAL GARNISHMENT EXEMPTION Federal law exempts from garnishment 75% of disposable earnings per work week or an amount equal to 30 x fed. min. hourly wage, whichever is greater. Some state laws are listed below, but where fed. law provides larger exemption, it supersedes state law.
	Open Accounts Years	Contracts In Writing Years	Domestic Judgments Years	Foreign Judgments Years	Legal Rate	Judgment Rate		
UNITED STATES							Civil Penalty	
ALABAMA	3	6	20	20	6%	12%	Actual bank charges.	75% of wages.
ALASKA	6	6	10	10	10.5%	10.5% or contractual	Damages in amount equal to \$100 or triple the amount of the check whichever is greater (but no more than \$1,000 over the amount of the check.	75% of employee's weekly net income or \$402.50, whichever is greater.
ARIZONA	3	6 (4 if outside AZ)	5 Add'l 5 on request	4	10%	10% or contractual	Twice the amount of check, costs of suit, reasonable attorney fees.	See federal law.
ARKANSAS	3	5	10 (renewable)	10	6% or 5 points above the fed. discount rate	10% or 5 points above the fed. discount rate per annum, whichever is less	Twice amount of check – prior to double charge – can start out with \$15 charge per NSF check after 30 days.	\$500 head of family, \$200 single. Includes personal property except clothing.
CALIFORNIA	4	4	10 (renewable)	10	10%	10% or contractual	Amount due, treble damages – min. \$100 max. \$1,500 per check.	See federal law. Exemptions for necessities of life.
COLORADO	6	3	20 (renewable)	6	8%	8% or contractual	Treble damages and reasonable attorney fees.	See federal law.
CONNECTICUT	6	6	20/25	20	8%	10%	Personal liability of signatory on corporate claims unless signed in corporate capacity.	25% disposable earnings each week, or 40 x fed. min. hourly wage.
DELAWARE	3	3	No prov.	No prov.	fed. discount rate plus 5 points	fed. discount rate plus 5 points	Amount due, cost of suit, protest fees.	85% of disposable earnings or disposable earnings minus \$127.50 weekly.
DISTRICT OF COLUMBIA	3	3	20	Foreign statute	6%	70% of interest rates on taxes to IRS	Amount due – protest fees.	See federal law. D.C. government employees are not attachable.
FLORIDA	4	5	7 (renewable)	No prov.	10%	10% or contractual	After 30 day demand, treble amount in addition to amount owed, bank & court costs & reasonable attorney fees.	See federal law, except 100% head of household. Liberal Homestead Exemption - First \$1,000 of automobile.
GEORGIA	4	6	7	5	7%	12% (commercial accts. 18%)	After 10 day written demand, double damages up to \$500 and service charge of \$20 or 5%, whichever is greater.	See federal law. City, county & state employees may be garnished.

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UNITED STATES								
HAWAII	6	6	10	6/10	10%	10%	Damages equal to \$100 or triple amount of check, not to exceed \$500.	95% of first \$100, 90% of next \$100 and 80% net wages in excess of \$200 per month, or federal limits, whichever is greater.
IDAHO	4	5	5 (renewable)	6 (renewable)	12%	10.875% plus the base rate	Triple amount of check up to \$500 over the check amount.	See federal law.
ILLINOIS	5	10	20	Same as foreign jurisdiction	5%	9%	Triple check amount up to \$500, attorney fees and court costs.	Greater of 85% of gross wages or disposable earnings for workweek up to 45 x fed. min. hourly wage.
INDIANA	6	10 - Executed before 9/1/82 6 - Executed after 8/31/82	10	10	8%	8%	Triple check amount up to \$500 over check amount, + attorney fees & interest up to 18% per annum or 25% of triple check amount + attorney fees & interest at 8% per annum.	See federal law.
IOWA	5	10	10 (renewable)	10 (renewable)	5%	10%	Triple check amount, not to exceed the amount of the check by more than \$500.	See federal law.
KANSAS	3	5	5 (renewable)	5 (renewable)	10%	4% above fed. discount rate	Triple check amount not exceeding the check amount by \$500, or \$100 whichever is greater plus attorney fees .	See federal law.
KENTUCKY	5	15	15	15	8%	12%	N/A	See federal law.
LOUISIANA	3	10	10	10	9.75%	9.75%	After 30 day written demand twice check amount plus attorney fees & court costs.	See federal law.
MAINE	6	6	20	20	8%	15% annual (T-Bill rate over \$30,000)	Amount due, court costs, service costs and collection costs.	75% disposable earnings for week, or disposable earnings over 40 x fed. min. hourly wage (whichever is less). After judgment only.
MARYLAND	3	3	12	12	6%	10% or contractual	After 30 day written notice, amount due, \$25 fee, twice check amount up to \$1,000 (at the discretion of the court). Applies to COD sales only.	Greater of 75% or amount equal to \$145 x no. of weeks in which wages due were earned, except in Carolina, Worcester, Kent & Queen Anne's counties, see federal law. Exemption is up to \$3,000 in cash and/or property.

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UNITED STATES								
MASSACHUSETTS	6	6 (UCC 4)	20	20	6%	12%	Amount due, costs of suit, protest fees. Additional damages of \$100-\$500 can be assessed.	\$125 a week.
MICHIGAN	6	6	10 (renewable)	10	5%	6.953% (changes semi-annually) Usury limit 25%	Twice the amount of check, not to exceed \$500.	See federal law.
MINNESOTA	6	6	10	10	6%	5%	Amount due, \$100 penalty, judgment interest rate, reasonable attorney fees (if check over \$1,250), \$15 service charge.	Greater of 75% disposable earnings or 40 x fed. min. hourly wage.
MISSISSIPPI	3	3 (UCC 6)	7	7 (3 if MS resident)	8%	Amount in contract or judgment	On checks \$100 or more, nor more than \$1,00 fee + court may impose fee of no more than 85% of the check value. Criminal penalties & restitution apply.	See federal law.
MISSOURI	5	10	10	10	9%	9%	Three times face amount owed plus attorney fees.	See federal law, except 90% of week's net pay, head of household.
MONTANA	5	8	10	10	10%	10%	\$100 min. or three 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.	See federal law. State law provides for executions.
NEBRASKA	4	5	5 (renewable)	5	12% or contractual	2% above T-Bill	Amount due + costs, protest fees.	Greater of 75% disposable earnings (85% if head of household) or 30 x fed. min. hourly wage.
NEVADA	4	6	6	6	Contractual or 2% over prime	Contractual or 2% over prime	Amount due, protest fees, three times check amount not more than \$500, or less than \$100.	See federal law.
NEW HAMPSHIRE	3	3	20	20	No info	No info	Amount due, interest, court costs, reasonable attys. fees and \$10 per business day (max. \$500).	50 x fed. min. hourly wage. All future wages are exempt so that the court cannot issue an ongoing order.
NEW JERSEY	6	6	20	20	Contractual (up to 30%)	No info	Face amount of check plus 3x face value, not to exceed \$500.	\$154.50 wk. min., 10% of gross earnings \$154.40 and over.
NEW MEXICO	4	6	14	14	No info	8.75% or contractual	Amount due, triple damages up to \$500 per check. Req. must be met.	Greater of 75% or amount each week equal to 40 x fed. min. hourly wage.

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UNITED STATES							Civil Penalty	
NEW YORK	6	6	20 (10 yr. renewable)	20 (10 yr. renewable)	16%	9%	Face value plus two times check amount up to a max. of \$400 on NSF or \$750 on "no account". GEN-0B.1.1-104.	90% of earnings except first \$154.50 wk. wholly exempt (only if the person earns min. wage).
NORTH CAROLINA	3	3	10	10	8%	8%	30 day written demand, lesser of \$500 or three times check amount, but not less than \$100.	100% of last 60 days' earnings for family support.
NORTH DAKOTA	6	6	10 (renewable)	10 (renewable)	6%	12%	Amount due, collection fees of \$25 and civil penalty by civil action for lesser of \$200 or three times check.	75% disposable earnings for each week, or amount equal to 40 x fed. min. hourly wage, whichever is greater, plus \$20 ea. dependent in household.
OHIO	6	15	21 (renew every 5)	21 (renew every 5)	1% above short rate	10% or contractual	The greater of \$200 or three times the amount of the check and attorney fees (no maximum).	See federal law.
OKLAHOMA	5	5	5 (renewable)	5 (renewable)	6% or contractual	No info	N/A	75% of earnings exempted, more if hardship established. All federal exemptions apply.
OREGON	6	6	10 (renewable)	10	No info	Statutory + Judgment: 9% or contractual	Can recover reasonable attorney fees & statutory damages of three times the amount of the NSF check or \$500 if demand letter is sent to debtor 30 days before suit is filed.	75% of disposable earnings over and above min. wage.
PENNSYLVANIA	4	4	5	4	6%	6%	N/A	100% of wages, certain pensions, retirement accounts & Keogh plan under certain circumstances, and \$300.
PUERTO RICO	3	15	15	15	6% (changes every 6 months)	Regulated by Board of Financial Institutions every 6 months	See articles 1851-1856 of the Puerto Rico Penal Code.	75% of last 30 days' earnings for family support.
RHODE ISLAND	10	10	20	20	12%	12%	Amount of check, \$25 fee and treble damage up to \$1,000.	See federal law.
SOUTH CAROLINA	3	3	10	10	8.75%	12%	Court costs, amount of check & damages up to \$500 or 3x check amount whichever is smaller.	100% exemption.
SOUTH DAKOTA	6	6	10 (renewable)	10	12%	10%	N/A	20% of the individual's disposable earnings for a continuing lien.

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UNITED STATES								
TENNESSEE	6	6	10	10	10%	10% or contractual	Amount of check, plus 10% interest and reasonable service charges, attorney fees & court costs, or treble damages up to \$500 plus fees & costs.	See federal law. Add \$2.50 per week for dependent child under 16.
TEXAS	4	4	10	10	6-18%	5.5% or contractual	N/A	100% of wages.
UTAH	4	6	8	8	10%	3.41%	Certified statutory bad check notice must be sent. Amount due, interest, court costs, reasonable attorney fees, plus damage equal to or greater of \$100 or three times check amount (not to exceed check amount plus \$500).	\$142.50 of disposable earnings for wages paid weekly.
VERMONT	6	6	8	8	12%	12%	Court costs, amount of check, attorney fees, damages of \$50. (Notices required).	75% of earnings above min. wage or what is necessary to live. 85% if personal, family or house held debt.
VIRGINIA	3	5	20	10	8%	9% or contractual, whichever is greater	Lesser of \$250 or three times check amount.	See federal law.
WASHINGTON	6	6	10 (renewable)	10 (renewable)	12%	12%	Interest rate specified in instrument or, if no specified rate, 12% interest plus collection costs up to \$40. If taken to court, reasonable attorney fees, three times value or up to \$800. Now have 6 years to enforce.	Greater of 75% or \$206 wk. (30 x state min. hourly wage).
WEST VIRGINIA	5	10	10	10	6% or contractual	10%	Amount due, service charge up to \$10. If check under \$500, misdemeanor. Over \$500, felony.	20% of disposable income withheld or 30 x fed. min. hourly wage, whichever is less. Other exemptions apply.
WISCONSIN	6	6	20	20	5%	12%	Amount of check plus actual damages plus exemplary damages up to three times value of check. Limited to \$300.	80% of net pay.
WYOMING	8	10	5	5	7%	10% or contractual	Three times amt. of check but not less than \$100 plus collection fee of \$30.	See federal law for consumer credit sale, leave or loan. Up to 65% for child support arrearage.

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