

117TH CONGRESS
2D SESSION

H. R. 9224

To amend the Consumer Credit Protection Act to address restrictions on the garnishment of wages, prohibitions on debt collection practices relating to imprisonment of debtors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2022

Ms. ADAMS introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Consumer Credit Protection Act to address restrictions on the garnishment of wages, prohibitions on debt collection practices relating to imprisonment of debtors, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Wages of
5 Essential Workers Act of 2022”.

6 **SEC. 2. RESTRICTION ON GARNISHMENT.**

7 Title III of the Consumer Credit Protection Act (15
8 U.S.C. 1671 et seq.) is amended—

1 (1) in section 303 (15 U.S.C. 1673)—

2 (A) by striking subsection (a) and insert-
3 ing the following:

4 “(a)(1) Except as provided in subsection (b) and in
5 section 305, the maximum part of the aggregate dispos-
6 able earnings of an individual for any workweek which is
7 subjected to garnishment may not exceed the lesser of—

8 “(A) 25 per centum of the disposable earnings
9 of the individual for that week; or

10 “(B) the amount by which the disposable earn-
11 ings of the individual for that week exceed—

12 “(i) beginning on the date of enactment of
13 this subsection, \$1000; and

14 “(ii) for fiscal year 2023, and each fiscal
15 year thereafter, the amount determined under
16 paragraph (3).

17 “(2) In the case of earnings for any pay period other
18 than a week, the Secretary of Labor shall, for purposes
19 of paragraph (1)(B), prescribe an amount that is propor-
20 tional to the amount under paragraph (1)(B)(i), which,
21 beginning for fiscal year 2023, shall be adjusted in accord-
22 ance with paragraph (3).

23 “(3)(A) On September 4, 2023, and annually there-
24 after, the Secretary shall adjust the dollar amounts de-
25 scribed in paragraphs (1)(B)(ii) and (2) by the annual

1 percentage increase in the Consumer Price Index, rounded
2 to the nearest multiple of \$100, as applicable.

3 “(B) Not later than Labor Day (as specified in sec-
4 tion 6103 of title 5, United States Code) of each fiscal
5 year, the Secretary of Labor shall publish in the Federal
6 Register the percentage change in the Consumer Price
7 Index published for June of the preceding fiscal year from
8 June of the fiscal year in which that publication is made.

9 “(C) In this paragraph, the term ‘Consumer Price
10 Index’ means the Consumer Price Index for All Urban
11 Consumers (all items, U.S. city average), published
12 monthly by the Bureau of Labor Statistics.”; and

13 (B) in subsection (b)(2)(A), by striking
14 “his spouse or dependent child” and inserting
15 “the spouse or dependent child of the indi-
16 vidual”;

17 (2) in section 304 (15 U.S.C. 1674), by striking
18 subsection (a) and inserting the following:

19 “(a) No employer may discharge, or take any other
20 adverse action against, any employee by reason of the fact
21 that the earnings of the employee have been subjected to
22 garnishment.”;

23 (3) in section 305 (15 U.S.C. 1675), by striking
24 “he determines” and inserting “the Secretary deter-
25 mines”; and

1 (4) in section 307 (15 U.S.C. 1677)—

2 (A) in the matter preceding paragraph (1),
3 by striking “State” and inserting “State—”;
4 and

5 (B) by striking paragraph (2) and insert-
6 ing the following:

7 “(2) prohibiting the discharge, or the taking of
8 any other adverse action against, any employee by
9 reason of the fact that the earnings of the employee
10 have been subjected to garnishment.”.

11 **SEC. 3. PROHIBITION ON DEBT COLLECTION PRACTICES**
12 **RELATING TO IMPRISONMENT OF DEBTORS.**

13 Section 808 of the Fair Debt Collection Practices Act
14 (15 U.S.C. 1692f) is amended by adding at the end the
15 following:

16 “(9) Taking or threatening to take any action
17 in connection with the collection of a debt to cause
18 the arrest or imprisonment of any person, including
19 taking or threatening to take any action to seek the
20 issuance or service of a civil arrest warrant in State
21 court.”.

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