

1 AMENDMENT TO SENATE BILL 1306

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1306 by replacing  
3 the title with the following:

4 "AN ACT in relation to civil procedure."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 5. The Code of Civil Procedure is amended by  
8 changing Section 12-803 as follows:

9 (735 ILCS 5/12-803) (from Ch. 110, par. 12-803)

10 Sec. 12-803. Maximum wages subject to collection.

11 (a) This subsection (a) does not apply to an order for a  
12 deduction from the wages paid by the Department of  
13 Corrections to a person committed to the Department to which  
14 subsection (b) applies. The maximum wages, salary,  
15 commissions and bonuses subject to collection under a  
16 deduction order, for any work week shall not exceed the  
17 lesser of (1) 15% of such gross amount paid for that week  
18 or (2) the amount by which disposable earnings for a week  
19 exceed 45 times the Federal Minimum Hourly Wage prescribed by  
20 Section 206(a)(1) of Title 29 of the United States Code, as  
21 amended, in effect at the time the amounts are payable. This

1 provision (and no other) applies irrespective of the place  
2 where the compensation was earned or payable and the State  
3 where the employee resides. No amounts required by law to  
4 be withheld may be taken from the amount collected by the  
5 creditor. The term "disposable earnings" means that part of  
6 the earnings of any individual remaining after the deduction  
7 from those earnings of any amounts required by law to be  
8 withheld.

9 (b) This subsection (b) applies only to an order for a  
10 deduction from the wages paid by the Department of  
11 Corrections to an individual committed to the Department.  
12 The maximum wages of such an individual subject to collection  
13 under a deduction order entered for the purpose of collecting  
14 the costs of the individual's prosecution and the amount of  
15 any fine or restitution imposed by the court may not exceed  
16 50% of the gross wages paid by the Department of Corrections  
17 to the individual.

18 (Source: P.A. 87-569.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law."