

HOUSE BILL No. 5765

April 1, 2004, Introduced by Reps. Lipsey, Bieda, Anderson, Kolb, Tobocman, Gleason, Adamini, Gillard, Whitmer, Gaffney and LaSata and referred to the Committee on Judiciary.

A bill to amend 2000 PA 330, entitled "Structured settlement protection act," (MCL 691.1191 to 691.1197) by amending the title and by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to establish conditions to the transfer of structured settlement rights; to establish a procedure for approval of the transfer of structured settlement rights; ~~and~~ to create circuit court jurisdiction for proceedings for approval of structured settlement rights; **and to exempt structured settlement rights from execution or garnishment.**

Sec. 4a. (1) Except as provided in subsection (2), a structured settlement right is exempt from execution, garnishment, or other similar legal process and from all claims

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1 of creditors of the payee or the payee's dependent.

2 (2) This section does not apply to legal process to enforce 1
3 or more of the following:

4 (a) A judgment or court order for the support of a
5 dependent.

6 (b) A transfer agreement that is in writing or that satisfies
7 section 3.

8 (c) A debt for necessities contracted by the payee after the
9 structured settlement payment right accrued.