INTRODUCED BY COSTA, FONTANA, SANTARSIERO, SCHWANK, A. WILLIAMS, BREWSTER, MUTH, DINNIMAN, HUGHES, BLAKE, KEARNEY, STREET, L. WILLIAMS AND IOVINO, JUNE 5, 2020

REferred to Banking and Insurance, June 5, 2020

AN ACT

1 Prohibiting certain garnishment of emergency disaster assistance.

2 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

6 This act shall be known and may be cited as the COVID-19 Disaster Emergency Assistance Protection Act.

Section 2. Definitions.

9 The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

12 "Assistance." Any of the following received by an individual during the COVID-19 disaster emergency:

14 (1) Economic Impact Payments received under the CARES Act.

16 (2) Pandemic Unemployment Assistance received under the CARES Act.
(3) Emergency Increase in Unemployment Compensation
benefits received under the CARES Act.

(4) Pandemic Emergency Unemployment Compensation
received under the CARES Act.

(5) Unemployment compensation received from the
Commonwealth under the act of December 5, 1936 (2nd Sp.Sess.,
1937 P.L.2897, No.1), known as the Unemployment Compensation
Law.

"CARES Act." The Federal Coronavirus Aid, Relief, and

"COVID-19 disaster emergency." The duration of the
proclamation of disaster emergency issued by the Governor on
March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
any renewal of the state of disaster emergency.

Section 3. Protection from garnishment.

Notwithstanding any provision of law, the following shall
apply during the COVID-19 disaster emergency and for an
additional 60 days following the termination of the COVID-19
disaster emergency:

(1) Any assistance received by an individual shall be
exempt from garnishment, attachment or any legal process by a
State or local government agency to satisfy any debt,
including medical and student loan debt.

(2) Any assistance received by an individual and
deposited into an account at a State-chartered bank or credit
union shall be exempt from garnishment, attachment or any
legal process by a State-chartered bank or credit union to
acquire an amount equal to or less than the amount of the
assistance for transfer from the individual's account to
another financial institution for the purpose of satisfying
any debt.

(3) No garnishment, attachment or other legal process on any assistance received by an individual shall be commenced or maintained by a private creditor or collection agency.

(4) This section shall not apply to garnishment, attachment or any other legal process to satisfy child support debt.

Section 4. Expiration.

This act shall expire 60 days following the termination of the COVID-19 disaster emergency.

Section 5. Effective date.

This act shall take effect immediately.