

## What Income is Protected from Garnishment?

Income	Exempt?	What Law Says This
Any court ordered domestic support obligation or payment, including a <b>maintenance</b> obligation or <b>child support</b> obligation or payment	Yes	CRS 13-54-102(1)(u)
Any claim for <b>Public</b> disability benefits or <b>Private</b> disability benefits	<b>Up to \$4000</b> (any claim in excess of this amount is subject to garnishment)	CRS 13-54-102(1)(v)
Pensions and retirement plans: <ol style="list-style-type: none"> <li>1. ERISA Qualified Retirement Accounts: <ol style="list-style-type: none"> <li>A. 401 (K)</li> <li>B. Deferred Compensation Plans</li> <li>C. Profit-Sharing Plans</li> </ol> </li> <li>2. Employee Benefit Welfare Plan: <ol style="list-style-type: none"> <li>A. Disability insurance</li> <li>B. Life insurance</li> </ol> </li> <li>3. Individual Retirement Account</li> <li>4. Roth Individual Retirement Account</li> </ol>	Yes a retirement plan must be set up and maintained by your employer (and/or a separate employee organization)	CRS 13-54-102(s)
Public assistance: <ol style="list-style-type: none"> <li>1. TANF</li> <li>2. EIC</li> <li>3. SNAP</li> </ol>	Yes	CRS 26-2-131
Restitution to crime victim	Yes	CRS 13-54-102(1)(q)

Security deposit Utility deposit	Yes Yes	CRS 13-54-102 (1) (r)
Social Security Payments: 1. Disability 2. Retirement 3. Survivor's	Yes	42 USC 407
SSI (Supplemental Security Income) / SSDI	Yes	42 USC 1383(d)(1)
Student Loans	Yes	20 USC 1095a(d)
Unemployment comp benefits	Yes	CRS 8-80-103
<ul style="list-style-type: none"> <li>• Wages and Salaries</li> <li>• Non- earning garnishment for self-employed income: Non-earning garnishment orders can be applied to attach anything other than wages, including but not limited to: <ul style="list-style-type: none"> <li>1. Self- employed income</li> <li>2. Bank account funds</li> </ul> </li> </ul>	<p>Yes</p> <p>For ordinary garnishments, the weekly amount may not exceed the lesser of two figures:</p> <ol style="list-style-type: none"> <li>1. 25 percent of the employee's disposable earnings or</li> <li>2. The amount by which an employee's disposable earnings are greater than 30 times the federal minimum wage</li> </ol> <p>For non- earning garnishment, 100% of the debt can be garnished (not just 25% of disposable income or 30 times minimum wage)</p>	CRS 13-54-104(2)&(3)
Worker's compensation benefits	Yes	CRS 13-54-104 (1)(II)(A)