

Stimulus Check Garnishment Information

Stimulus Checks Cannot be Garnished

Ohio Attorney General Dave Yost issued a statement on April 13 that stimulus checks are protected from garnishment. This means that debt collectors, creditors, or financial institutions cannot take your stimulus check to settle a debt.

The payments under the CARES Act are in the nature of emergency support, designed to support basic needs of tens of millions of Americans. This is why debts owed to the Federal and State governments are not being withheld from the payments. Although there is no explicit exemption for CARES Act payments under federal law, Ohio law protects them.

State law sets out a list of exemptions from attachment, garnishment or execution. Ohio Revised Code §2329.66(A)(12)(d) applies to payments under the CARES Act:

** * * A payment in compensation for loss of future earnings of the person or an individual of whom the person is or was a dependent, to the extent reasonably necessary for the support of the debtor and any of the debtor's dependents. * * **

The full notice can be found here: https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/STATE_LAW_EXEMPTION_FOR_WEB.aspx

Call Legal Aid at (513) 241-9400 if you need immediate legal assistance.