

Assembly Bill No. 1945

CHAPTER 415

An act to amend Section 703.020 of the Code of Civil Procedure, relating to civil actions.

[Approved by Governor September 18, 2014. Filed with Secretary of State September 18, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1945, Wieckowski. Enforcement of money judgments: exemptions.

Under existing law, certain property is exempted from enforcement of money judgments. Existing law permits the spouse of a judgment debtor to claim an exemption in the case of community property, whether or not the spouse is also a judgment debtor under the judgment.

This bill would also permit a domestic partner to claim an exemption in the case of community property.

The people of the State of California do enact as follows:

SECTION 1. Section 703.020 of the Code of Civil Procedure is amended to read:

703.020. (a) The exemptions provided by this chapter apply only to property of a natural person.

(b) The exemptions provided in this chapter may be claimed by any of the following persons:

(1) In all cases, by the judgment debtor or a person acting on behalf of the judgment debtor.

(2) In the case of community property, by the spouse of the judgment debtor, whether or not the spouse is also a judgment debtor under the judgment.

(3) In the case of community property, by the domestic partner of the judgment debtor, as defined in Section 297 of the Family Code, whether or not the domestic partner is also a judgment debtor under the judgment.

O