



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Hoylman & 19 Colleagues Call For Emergency NY State Measures To Protect Stimulus Checks From Being Garnished By Debt Collectors

BRAD HOYLMAN-SIGAL April 15, 2020

| ISSUE: **SD 27, COVID-19, CARES ACT**

NEW YORK—Today, Senator Brad Hoylman and twelve colleagues called for executive action to protect New Yorkers’ stimulus checks from debt collectors. A copy of the letter is attached.

The Senators write: “At a time when unemployment claims are experiencing an unprecedented surge in New York, and residents across the state are increasingly concerned about how they will pay their rents or mortgages next month, the Economic Impact Payments provided by the CARES Act are literal lifelines. This is money that should be used to keep individuals and families safely sheltered and fed—not immediately seized by creditors.”

The federal CARES Act includes a provision ensuring individuals are provided with an Economic Impact Payment of up to \$1,200. For New Yorkers struggling to pay rent or afford groceries, these checks are vital. Under the terms of the federal legislation, debt collectors or creditors would be able to garnish these Economic Impact Payments, taking money away from hard-working New Yorkers when they need it most.

In response to this concern, Senator Hoylman and his colleagues are requesting Governor Cuomo take any and all actions possible to protect New Yorkers' stimulus checks. The Senators request that Governor Cuomo classify these Economic Impact Payments as personal property exempt from money judgment under Section 5205 of the Civil Practice Law and Rules, or take any other action he deems necessary to ensure creditors and debt collectors are unable to garnish a New Yorker's Economic Impact Payment.

Senator Hoylman's letter to the Governor was co-signed by Senator Jamaal Bailey, Senator Alessandra Biaggi, Senator David Carlucci, Senator Leroy Comrie, Senator Andrew Gounardes, Senator Todd Kaminsky, Senator Tim Kennedy, Senator Liz Krueger, Senator Rachel May, Senator Shelley Mayer, Senator Jen Metzger, Senator Zellnor Myrie, Senator Roxanne Persaud, Senator Gustavo Rivera, Senator Julia Salazar, Senator James Sanders, Senator James Skoufis, Senator Toby Ann Stavisky and Senator Kevin Thomas.