A BILL FOR AN ACT

To amend title 6 of the Code of the Federated States of Micronesia (Annotated), to amend section 707 thereof, to clarify that State funds and assets in the custody or control of a department or entity of the National Government shall under no circumstances be subject to writ of garnishment, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 707 of title 6 of the Code of the Federated States of Micronesia (Annotated) is hereby amended to read as follows:

“Section 707. Garnishment of funds or other assets belonging to or owed [by the National Government] to a State that are under the custody or control of the National Government prohibited. [The] A department or entity of the National Government of the Federated States of Micronesia shall [not] under no circumstances be subject to writ of garnishment or other judicial process to apply funds or other assets that are in the custody or control of the department or entity, if such funds or other assets belong to or are owed [by it] to a State of the Federated States of Micronesia, to satisfy an obligation of the State to a third person. This prohibition includes funds and assets that would be garnished to satisfy an obligation of the State resulting from a cause of action expressly conferred by

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national statute. Nothing herein shall imply that
authority exists to issue a writ of garnishment or other
process against the National Government in any
circumstance."

Section 2. This act shall become law upon approval by
the President of the Federated States of Micronesia or upon
its becoming law without such approval.

Date: 6/3/21

Introduced by: /s/ Wesley W. Simina

Wesley W. Simina