

15-501. PROHIBITION AGAINST CERTAIN ASSIGNMENTS.

(A) ASSIGNMENT UNLAWFUL.

IT IS UNLAWFUL FOR A CREDITOR WHO IS A CITIZEN OF THE STATE TO ASSIGN OR TRANSFER A CLAIM AGAINST A RESIDENT OF THE STATE:

(1) FOR THE PURPOSE OF HAVING THE CLAIM COLLECTED BY ATTACHMENT IN A COURT OUTSIDE THE STATE; OR

(2) WITH THE INTENT TO DEPRIVE THE DEBTOR OF HIS RIGHTS UNDER THE LAWS OF THE STATE WHICH EXEMPT HIS WAGES OR PROPERTY FROM EXECUTION.

(B) EXCEPTION.

THE PROVISIONS OF THIS SECTION DO NOT APPLY IF THE CREDITOR, THE DEBTOR, OR THE PERSON OWING THE MONEY TO BE ATTACHED IS NOT WITHIN THE JURISDICTION OF THE COURTS OF THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first provision of Art. 83, §15. The remaining provisions of this section and §16 are consolidated into one section because they deal with the same subject matter - i.e., a creditor's liability for the assigned debt.

15-502. LIABILITY OF CREDITOR FOR ASSIGNED DEBT.

(A) EXTENT OF CREDITOR'S LIABILITY.

IF THE CREDITOR ASSIGNS OR TRANSFERS THE DEBT TO A NONRESIDENT IN VIOLATION OF §15-501 OF THIS SUBTITLE AND THE DEBT IS COLLECTED BY THE ASSIGNEE OUTSIDE THE STATE, THE CREDITOR IS LIABLE TO THE DEBTOR FOR THE FULL AMOUNT OF THE DEBT INCLUDING COLLECTED INTEREST AND COSTS. IN ADDITION, THE CREDITOR FORFEITS HIS RIGHT TO EXEMPT HIS OWN WAGES OR PROPERTY FROM EXECUTION IF A WRIT OF EXECUTION IS ISSUED AGAINST HIM FOR COLLECTION OF THESE AMOUNTS.

(B) PRIMA FACIE EVIDENCE OF CREDITOR'S INTENT.

PROOF OF THE FACT OF THE ASSIGNMENT OR TRANSFER, WHETHER OR NOT FOR VALUE, TO A NONRESIDENT ASSIGNEE IS PRIMA FACIE EVIDENCE OF THE CREDITOR'S INTENT TO DEPRIVE THE DEBTOR OF HIS RIGHTS UNDER THE LAWS OF THE STATE WHICH EXEMPT HIS WAGES OR PROPERTY FROM EXECUTION.

REVISOR'S NOTE: This section presently appears as the latter part of Art. 83, §15 and §16.