



COVID-19 Impacts on Collections

State	As of Date	State Status/Updates	Source (webpage, notice, etc.)	Source for separate, additional limitation
N/A (Federal)	3/27/2020	<p>Pending Senate bill provides that, without prior consent, debt collectors are allowed to communicate with consumers only for informational purposes, and only in writing, during a major disaster or emergency.</p> <p>Debt collectors covered under the FDCPA would not be able to:</p> <ul style="list-style-type: none"> Capitalize unpaid interest; Increase interest rate due to nonpayment; Charge a fee, sue, or threaten to sue, for non-payment; Continue collection litigation that was initiated prior to the disaster; Submit, or cause to be submitted, a confession of judgment in any court; Repossess, limit a debtor's use, or foreclose on property to enforce a security interest; Take or threaten to take any action to enforce collection or for nonappearance at a hearing related to a debt; Garnish wages or seize assets, such as levying funds from a bank account; or Disconnect or terminate utility services. <p>Further, debt collectors would be required to shift payment periods until the incident is concluded.</p> <p>Although the bill indicates that a creditor cannot collect through judicial avenues, it does not explicitly prohibit collection through non-judicial means. However, the bill does limit communication with consumers to those in writing, and that these communications must not be attempts to collect debts.</p> <p>The bill does not take into account the loss mitigation measures that creditors currently have in place regarding debtors who have lost their income.</p>	Senate FDCPA Bill	
N/A (Federal)	3/27/2020	House introduced FDCPA amendment.	House Democrat Proposals on FDCPA limitations	
Alabama		Updated as of 6/01/20		
Arizona		Updated as of 6/01/20		
Arkansas		Updated as of 6/01/20		
California	4/23/2020	Order exempts CARES Act stimulus checks, as well as any other federal-, state-, or local-government financial assistance made available to individuals in express response to COVID-19, from any attachment, levy, execution, or garnishment.	Governor's Executive Order	
Colorado		Updated as of 6/01/20		
Connecticut		Updated as of 6/01/20		
D.C.	4/10/2020	[See also clarifying Order from 5/7/20 that also extends restrictions to July 14]. The law includes broad restrictions, prohibiting a debt collector from (among other less relevant things) the following: (1) Initiate, file, or threaten to file any new collection lawsuit; (2) Initiate, threaten to initiate, or act upon any statutory remedy for the garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the payment of a debt to a creditor; (3) the outbound collection via any medium—phone calls, letters, electronic messages—to consumers from debt collectors and debt buyers. The law, however, allows for a debt collector to return consumer-initiated communications. The prohibition on outbound collection efforts explicitly does not apply to original creditors who are collecting on their own behalf, nor to debts secured by a mortgage on real property. It goes into effect immediately and lasts until 60 days after the conclusion of the public health emergency.	AG Press Release re: COVID-19 Response Supplemental Emergency and Temporary Amendment Act of 2020	General Order Re Debt Collection Cases
Delaware		Updated as of 6/01/20		
Florida		Updated as of 6/01/20		
Georgia		Updated as of 6/01/20		
Illinois	3/30/2020 & 4/14/20	<p>Illinois Dept of Financial and Professional Regulation (3/30) "encouraging" debt collectors to work with consumers to accommodate hardships due to the COVID-19 crisis, including to suspend collection activity for a period of at least 60 days.</p> <p>Additionally, by separate executive order (4/14), the governor has decreed that during the duration of the Gubernatorial Disaster Proclamations (now through 5/30), state statutes and rules of procedure that permit the service of a garnishment summons, wage deduction summons, or a citation to discover assets on a consumer debtor or consumer garnishee, are suspended.</p>	Illinois Dept of Financial and Professional Regulation Press Release	Executive Order in Response to COVID 19
Indiana	4/20/2020	Order protects CARES Act stimulus payments from attachment or garnishment.	Supreme Court Order	
Iowa	4/24/2020	Order suspends garnishments.	Executive Department Proclamation	
Kansas		Updated as of 6/01/20		

Kentucky		Updated as of 6/01/20		
Louisiana		Updated as of 6/01/20		
Maine		Updated as of 6/01/20		
Maryland	4/29/2020	Prohibits garnishment of CARES Act stimulus checks.	Executive Order	
Massachusetts	3/27/2020	<p>*TRO GRANTED ON 5/6/20 AGAINST OUTBOUND COLLECTION CALL BAN* Emergency Regulation prohibits creditors from engaging in methods of debt collection that can require people to leave their homes or have in-person contact, including filing new lawsuits against Massachusetts consumers, visiting their homes or places of work, or repossessing their cars, among other protections. The AG's emergency regulation also prohibits debt collection agencies and debt buyers from making unsolicited debt collection telephone calls to consumers.</p> <p>This emergency regulation will remain in effect for 90 days or until the conclusion of the declared state of emergency. The AG's emergency debt collection regulation contains protections that apply to all creditors and prohibits them from deceptive practices in pursuing the payment of a debt during the COVID-19 emergency, including:</p> <p>filing any new collection lawsuit; garnishing wages, earnings, properties or funds; repossessing vehicles; applying for or serving a capias warrant; visiting or threatening to visit the household of a debtor; visiting or threatening to visit the place of employment of a debtor; confronting or communicating in person with a debtor regarding the collection of a debt in any public place. The AG's emergency debt collection regulation also prohibits debt collection agencies and debt buyers from making unsolicited debt collection telephone calls to Massachusetts consumers for the next 90 days, unless the state of emergency ends before that time.</p>	Mass AG Emergency Regulation on Debt Collection	Article re TRO
Michigan		Updated as of 6/01/20		
Minnesota	5/4/2020	Governor's order suspends issuance and service of garnishment orders and debtor examinations.	Governor's Executive Order	
Mississippi		Updated as of 6/01/20		
Missouri	4/16/2020	For Jackson County, MO, only: through May 18, suspends issuance and enforcement of any writs of execution, including garnishment, restitution and execution.	Circuit Court Administrative Order	
Montana		Updated as of 6/01/20		
Nevada	3/17/2020	*Extended to June 30* Suspended issuing defaults on civil cases and orders for examination on judgment debtors. Suspended all Writs on Execution. Any property garnished after March 17, 2020, must be released to judgment debtor.	Nevada Notice	
New Hampshire		Updated as of 6/01/20		
New Jersey		Updated as of 6/01/20		
New Mexico		Updated as of 6/01/20		
New York	4/21/2020	Exempts CARES Act stimulus payments from garnishment or attachment.	Attorney General Guidance	
North Carolina	3/27/2020	If a consumer contacts a debt collector concerning a payment, the debt collector should (1) advise the consumer that he or she may defer payments for 30 days, as per the statute [NCGS 58-2-46(2)], and (2) state that no fees would apply to this deferral of payment. The COI does not interpret the statute to impose an affirmative requirement to preemptively notify debtors of the waiver option, e.g., via a calling campaign or letter campaign. But debt collectors do have an obligation to offer the deferred payment to debtors when discussing payments with debtors. Order relates to all debt, not just insurance debts	FAQ on NC Insurance Commissioner's Order	
Ohio	4/13/2020	Attorney General exempts CARES Act stimulus checks from garnishment, attachment, or execution.	Attorney General Press Release	
Oklahoma		Updated as of 6/01/20		
Oregon	4/17/2020	Prohibits garnishment of CARES Act stimulus checks. Additionally, the Dept of Consumer and Business Services has provided guidance "encouraging" debt collectors to take certain actions to accommodate debtors with hardships and temporarily suspend collection activities for debtors who have significant financial or medical hardships.	Governor Executive Order	Dept. of Consumer and Business Services Bulletin
Pennsylvania	4/22/2020	For Philadelphia: order stays new garnishment orders and service of existing orders.		
Rhode Island	4/28/2020	Exempts CARES Act stimulus payments from seizure or garnishment.	Attorney General Press Release	
South Carolina		Updated as of 6/01/20		
Tennessee		Updated as of 6/01/20		
Texas	4/9/2020	A writ of garnishment under Rule 658 of the Texas Rules of Civil Procedure may issue, but service of the writ of garnishment may not occur until after May 7, 2020.	Texas Supreme Court Emergency Order Regarding the COVID 19 State of Disaster	
Utah		Updated as of 6/01/20		
Vermont	21-Apr	Exempts CARES Act stimulus payments from garnishment or attachment.	Attorney General Directive	
Virginia	4/23/2020	Order suspends new garnishment orders.	Supreme Court Directive	
Washington	4/13/2020	Governor's proclamation suspends statutes that permit collection of consumer debt judgments, including bank account and wage garnishments, and waives the accrual of post-judgment interest on judgments of consumer debt.	Proclamation by the Governor	
West Virginia		Updated as of 6/01/20		

Wisconsin	4/13/2020	That state's guidance on the Wisconsin Consumer Act interprets the present emergency situation as follows: "Debt collectors who routinely rely on telephone calls as a debt-collection tactic should be forewarned: whether conduct 'can reasonably be expected to threaten or harass a consumer' depends on the context, and the worldwide context just shifted dramatically. Practices that may have been typical or customary under normal conditions may be deemed harassment under conditions of a global pandemic. We cannot draw a precise boundary between permitted or prohibited communications with debtors, because each must 'be considered in context.' Solicited follow-up communications are different than unsolicited threats to sue, and calls made in a good faith effort to compromise a debt are different than efforts to be the 'squeakiest wheel' among a debtor's creditors."	Dept of Financial Institutions Emergency Guidance on Prohibited Debt Collection Practices	
Wyoming		Updated as of 6/01/20		