

2023 Kansas Statutes

61-3512. Garnishee's payment to the judgment creditor; refund of overpayment; release of funds; nonliability of garnishee. (a) The court shall direct the garnishee to pay to the judgment creditor such amount that the garnishee is holding, as indicated by the answer, or such lesser amount as warranted, if:

(1) The garnishment has attached to intangible property other than earnings of the judgment debtor;

(2) fourteen days have passed since receipt of the answer of the garnishee by the judgment creditor; and

(3) no reply to the answer has been filed.

(b) The judgment creditor shall promptly refund to the judgment debtor any overpayment of the claim. The garnishee may release the funds, credits or indebtedness that have been attached pursuant to the order of garnishment if no order to pay the judgment creditor has been received within 60 days following the receipt of the answer of the garnishee by the judgment creditor.

(c) The garnishee shall not be liable to any judgment creditor or judgment debtor and shall not be assessed any penalty by reason of any action taken in good faith by the garnishee in accordance with the provisions of article 35 of chapter 61 of the Kansas Statutes Annotated, and amendments thereto.

History: L. 2000, ch. 161, § 57; L. 2003, ch. 131, § 2; L. 2010, ch. 135, § 212; L. 2012, ch. 68, § 8; July 1.