6-14/500.00 Money Owed by Public Entity

Unless authorized by statute, a public entity is not subject to garnishment. (Irilarry v. City of San Diego, 199 CA 1041, 186 CA 535) This exemption cannot be waived by their officers or agents. (Vaughn v. Condon, 52 CA 713) City and county housing authorities come under this exemption. If money is owing and unpaid to the judgment debtor by a public entity, the judgment creditor may file an abstract of the money judgment or a certified copy of the money judgment, together with an affidavit that states that the judgment creditor desires the relief provided by the article and states the exact amount then required to satisfy the judgment. The judgment creditor may state in the affidavit any fact tending to establish the identity of the judgment debtor. If the public entity owes money to a judgment debtor, the public entity can be served with an Earnings Withholding Order in accordance with the Wage Garnishment laws, CCP 706.010 – 706.154, or notice of lien, CCP 708.410 – 708.480. (CCP 708.720)

As used in this article (CCP 708.710):

a. “Local public entity” means any public entity other than the state.
b. “Public entity” means the state, a county, city, district, public authority, public agency, and any other political subdivision in the state.
c. “State” means the State of California.
d. “State agency” means a state office, officer, department, division, bureau, board, commission or agency claims against which are paid by warrants drawn by the Controller.