

DC ST § 15-502


 Formerly cited as DC ST 1981 § 15-502

District of Columbia Official Code 2001 Edition Currentness

Division II. Judiciary and Judicial Procedure

Title 15. Judgments and Executions; Fees and Costs. (Refs & Annos)

 Chapter 5. Exemptions and Trial of Right to Seized Property.

 Subchapter I. Exemptions.

§ 15-502. Mortgage or other instrument affecting exempt property.

(a) A mortgage, deed of trust, assignment for the benefit of creditors, or bill of sale upon exempted articles is not binding or valid unless it is signed by the spouse or domestic partner of a debtor who is living with his or her spouse or domestic partner. This section shall not apply to instruments related to property exempted in § 15-501(a)(14).

(b) For the purposes of this section, the term "domestic partner" shall have the same meaning as provided in § 32-701(3).

CREDIT(S)

(Dec. 23, 1963, 77 Stat. 530, Pub. L. 88-241, § 1; Oct. 1, 1976, D.C. Law 1-87, § 11, 23 DCR 2544; Apr. 4, 2006, D.C. Law 16-79, § 3, 53 DCR 1035; Mar. 2, 2007, D.C. Law 16-191, § 131(a), 53 DCR 6794; Mar. 14, 2007, D.C. Law 16-270, § 3(b), 54 DCR 851.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 15-502.

1973 Ed., § 15-502.

Effect of Amendments

D.C. Law 16-79 rewrote section, which had read as follows:

"A mortgage, deed of trust, assignment for the benefit of creditors, or bill of sale upon exempted articles is not binding or valid unless it is signed by the spouse of a debtor who is married and living with his or her spouse."

D.C. Law 16-191, in subsec. (a), validated a previously made technical correction.

D.C. Law 16-270, in subsec. (a), inserted "This section shall not apply to instruments related to property exempted in § 15-501(a)(14)."

Legislative History of Laws

Law 1-87, the "Anti-Sex Discriminatory Language Act," was introduced in Council and assigned Bill No. 1-36, which was referred to the Committee on the Judiciary and Criminal Law. The Bill was adopted on first and second readings on June 15, 1976 and June 29, 1976, respectively. Signed by the Mayor on July 27, 1976, it was assigned

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Act No. 1-143 and transmitted to both Houses of Congress for its review.

Law 16-79, the "Domestic Partnership Equality Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-52 which was referred to the Committee on Judiciary. The Bill was adopted on first and second readings on December 6, 2005, and January 4, 2006, respectively. Signed by the Mayor on January 26, 2006, it was assigned Act No. 16-265 and transmitted to both Houses of Congress for its review. D.C. Law 16-79 became effective on April 4, 2006.

Law 16-191, the "Technical Amendments Act of 2006", was introduced in Council and assigned Bill No. 16-760, which was referred to the Committee of the whole. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 31, 2006, it was assigned Act No. 16-475 and transmitted to both Houses of Congress for its review. D.C. Law 16-191 became effective on March 2, 2007.

For Law 16-270, see notes following § 15-501.

Miscellaneous Notes


Section 4 of D.C. Law 16-270 provided: "Section 3 shall apply as of April 27, 2001."

SECTION REFERENCES

This section is referred to in § 20-904.

LIBRARY REFERENCES

Key Numbers

Exemptions  86.

Westlaw Key Number Search: 163k86.

Encyclopedias

C.J.S. Exemptions § 98.

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