

**A SUMMARY OF
EXEMPTIONS AVAILABLE IN FLORIDA**

I. FLORIDA CONSTITUTION

- A. Art X, Sec 4 (a) - Homestead - 160 acres outside a municipality or ½ acre in a municipality.
- B. Art X, Sec 4 (b) - \$1,000.00 in value of personal property.

II. FLORIDA STATUTES CHAPTER 222

- A. Florida Statute 222.05 - Mobile home on leased land.
- B. Florida Statute 222.11 - Wages due the head of a family.
- C. Florida Statute 222.14 - Cash surrender value of life insurance policies and annuities.
- D. Florida Statute 222.18 - Disability benefits.
- E. Florida Statute 222.201 - Property listed in 11 USC §522(d)(10).
- F. Florida Statute 222.201 - Social security, unemployment compensation, veteran's benefits, alimony and child support.
- G. Florida Statute 222.21 - U.S. pensions, tax qualified retirement, profit sharing and stock plans.
- H. Florida Statute 222.22 - Florida prepaid college trust fund, medical savings accounts.
- I. Florida Statute 222.25 - Motor vehicles, professional prescribed health aids, EIC tax refunds, additional \$4,000.00 of personal property for those not claiming or benefitting from homestead Exemption.

III. OTHER FLORIDA STATUTES

- A. Florida Statute 112.215 - Government Employee benefits.
- B. Florida Statute 112.363 - Public employee's health insurance.
- C. Florida Statute 121.131 - Public employee retirement benefits.
- D. Florida Statute 122.15 - County and state officers and employees retirement benefits.
- E. Florida Statute 175.241 - Fireman retirement benefits.
- F. Florida Statute 185.25 - Police retirement benefits.
- G. Florida Statute 238.15 - Teacher retirement benefits.
- H. Florida Statute 440.22 - Worker's compensation.
- I. Florida Statute 497.456 - Pre-need funeral contract, consumer protection trust fund.
- J. Florida Statute 620.153 and 620.8307 - Partner's interest in partnership property.
- K. Florida Statute 632.619 - Fraternal benefit society benefits.
- L. Florida Statute 769.05 - Damages for injury or death at work, hazardous occupation.
- M. Florida Statute 960.14 - Crime victim's compensation awards.

IV. FLORIDA COMMON LAW EXEMPTIONS

- A. Property by entireties.
- B. Beneficial interest in a spendthrift trust.

V. FEDERAL NON BANKRUPTCY EXEMPTIONS

- A. 11 U.S.C. §522(b)(3)(B) - Allows use of Florida's tenancy by the entirety exemption in bankruptcy.
- B. 11 U.S.C. §522(b)(3)(C) - IRS qualified retirement accounts.
- C. 5 U.S.C. §8130 - Federal civil service disability and death benefits.
- D. 5U.S.C. §8346(a) - Federal civil service employees' pensions.
- E. 7 U.S.C. §1509 - Crop insurance proceeds.
- F. 10 U.S.C. §1035(d) - Military deposits and savings account while on duty outside of the United States.
- G. 10 U.S.C. §1410, 1450(i) - Military survivor benefit plan annuities.
- H. 15 U.S.C. §1673 - Seventy-five percent of earned but unpaid wages.
- I. 22 U.S.C. §4060 - Foreign service employees' annuities and severance pay benefits.
- J. 25 U.S.C. §4010 - Money accruing from lease/sale of land held in trust for Indians.
- K. 28 U.S.C. §376(n) - Survivor's benefits for judges and U.S. court directors.
- L. 29 U.S.C. §1056(d) - ERISA benefits.
- M. 31 U.S.C. §776 - Annuities payable for service in GAO.
- N. 33 U.S.C. §775, 916 - Pension, death and disability benefits for harbor, lighthouse and long shore workers.
- O. 38 U.S.C. §1562(c) - Medal of Honor pension payments.
- P. 38 U.S.C. §3101(a), 1970(g) and 42 U.S.C. §1717 - Veterans' benefits, group life insurance and war compensation.
- Q. 38 U.S.C. §5301(a) - Veterans' benefits.
- R. 42 U.S.C. §407 - Social security benefits.
- S. 42 U.S.C. §1701, et seq - Compensation for war injury.
- T. 42 U.S.C. §3796 - Public safety officers' death benefits.
- U. 43 U.S.C. §175 - Federal homestead lands, concerning debts contracted before issuance of the patent.
- V. 45 U.S.C. §231m - Railroad retirement annuities and pensions.
- W. 45 U.S.C. §352(e) - Railroad unemployment insurance.
- X. 46 U.S.C. §11110 and §11109(a) - Seamen's clothes and wages.
- Y. 50 U.S.C. §403 - CIA employees' pensions.
- Z. 44C.F.R. §206.110(g) - FEMA benefits (exempt from garnishment).

This list is a summary only and should not be used for any specific exemption without a careful reading of the relevant statute and case law.