

**CALIFORNIA STATE EXEMPTION STATUTES
(System 1)**

**FEDERAL BANKRUPTCY EXEMPTIONS ARE NOT AVAILABLE.
CALIFORNIA HAS TWO SYSTEMS; YOU MUST SELECT ONE OR THE OTHER.
All law references are to California Code of Civil Procedure unless otherwise noted.**

ASSET	EXEMPTION	LAW PROVISION
HOMESTEAD	Real or personal property you occupy including mobile home, boat, stock cooperative, community apartment, planned development or condo to \$50,000 if single and not disabled; \$75,000 for families if no other member has a homestead (if only one spouse files, may exempt one-half of amount if home held as community property and all of amount if home held as tenants in common), \$100,000 if 65 or older, or physically or mentally disabled; \$100,000 if 55 or older, single and earn under \$15,000 or married and earn under \$20,000 and creditors seek to force the sale of your home; sale proceeds exempt for 6 months after received (husband and wife may not double).	704.710, 704.720, 704.730 <i>In re McFall, 112 B.R. 336</i> <i>(9th Cir. B.A.P., 1990)</i>
	May file homestead declaration	704.920
INSURANCE	Disability or health benefits	704.130
	Fidelity bonds	Labor 404
	Fraternal unemployment benefits	704.120
	Homeowner's insurance proceeds for 6 months after received, to homestead exemption amount	704.720(b)
	Life Insurance proceeds if clause prohibits proceeds from being used to pay beneficiary's creditors	Ins. 10132, Ins. 10170, Ins. 10171
	Matured life insurance benefits needed for support	704.100(c)
	Unmatured life insurance policy loan value to \$8,000 (husband and wife may double)	704.100(b)
MISCELLANEOUS	Business or professional licenses	695.060
	Inmates' trust fund to \$1000 (husband and wife may not double)	704.090
	Property of business partnership	Corp. 15025
PENSIONS	County employees	Gov't 31452
	County firefighters	Gov't 32210
	County peace officers	Gov't 31913
	Private retirement benefits, including IRAs and Keoghs	704.115
	Public employees	Gov't 21201
	Public retirement benefits	704.110
PERSONAL PROPERTY	Appliances, furnishings, clothing and food needed	704.020
	Bank deposits from Social Security Administration to \$2000 (\$3000 for husband and wife)	704.080
	Building materials to \$2000 to repair or improve home (husband and wife may not double)	704.030
	Burial plot	704.200
	Health aids	704.050
	Jewelry, heirlooms and art to \$5000 total (husband and wife may not double)	704.040
	Motor vehicles to \$1900 , or \$1900 in auto insurance if vehicle(s), lost, damaged or destroyed (husband and wife may	704.010

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	not double) Personal injury and wrongful death causes of action	704.140(a), 704.150(a)
	Personal injury and wrongful death recoveries needed for support; if receiving installments, at least 75%	704.140(b), (c), (d), 704.150(b), (c)
PUBLIC BENEFITS	Aid to blind, aged, disabled, AFDC	704.170
	Financial aid to students	704.190
	Relocation benefits	704.180
	Unemployment benefits	704.120
	Union benefits due to labor dispute	704.120(b)(5)
	Workers' compensation	704.160
TOOLS OF TRADE	Tools, implements, materials, instruments, uniforms, books, furnishings, equipment, vessel, motor vehicle to \$5,000 total; to \$10,000 total if used by both spouses in same occupation (cannot claim motor vehicle under tools of trade exemption if claimed under motor vehicle exemption)	704.060
WAGES	Minimum 75% of wages	704.070
	Public employees vacation credits; if receiving installments, at least 75%	704.113
WILDCARD	NONE	

**CALIFORNIA STATE EXEMPTION STATUTES
(System 2)**

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NOTE: Married couples may not double any exemptions (see *In re Talmadge*, 822 F.2d 1120 (9th Cir. 1987);
In re Baldwin, 70 B.R. 612 (9th Cir. B.A.P. 1987))

ASSET	EXEMPTION	LAW PROVISION
HOMESTEAD	Real or personal property, including co-op, used as residence to \$15,000 ; unused portion of homestead may be applied to any property	703.140(b)(1)
INSURANCE	Disability benefits	703.140(b)(10 C)
	Life insurance proceeds needed for support of family	703.140(b)(11)(C)
	Unmatured life insurance contract accrued avails to \$8,000	703.140(b)(8)
	Unmatured life insurance policy other than credit	703.140(b)(7)
MISCELLANEOUS	Alimony, child support needed for support	703.140(b)(10)(D)
PENSIONS	ERISA-qualified benefits needed for support	703.140(b)(10)(E)
PERSONAL PROPERTY	Animals, crops, appliances, furnishings, household goods, books, musical instruments and clothing to \$400 per item	703.140(b)(3)
	Burial plot to \$15,000 , in lieu of homestead	703.140(b)(1)
	Health aids	703.140(b)(9)
	Jewelry to \$1,000	703.140(b)(4)
	Motor vehicle to \$2,400	703.140(b) 2)
	Personal injury recoveries to \$15,000 (not to include pain and suffering; pecuniary loss)	703.140(b)(11)(D, E)
	Wrongful death recoveries needed for support	703.140(b)(11)(B)
PUBLIC BENEFITS	Crime victim's compensation	703.140(b)(11)(A)
	Public Assistance	703.140(b)(10)(A)
	Social Security	703.14 (b)(10)(A)
	Unemployment compensation	703.140(b)(10)(A)
	Veterans' benefits	703.140(b)(10)(B)
TOOLS OF TRADE	Implements, books, and tools of trade up to \$1,500	703.140(b)(6)
WAGES	NONE	
WILD CARD	\$800 of any property	703.140(b)(5)
	Unused portion of homestead or burial exemption, of any property	703.140(b)(5)