

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1069
92ND GENERAL ASSEMBLY

Reported from the Committee on Retirement March 15, 2004, with recommendation that the House Committee Substitute for House Bill No. 1069 Do Pass by Consent.

STEPHEN S. DAVIS, Chief Clerk

3687L.03C

AN ACT

To repeal sections 86.223 and 86.353, RSMo, and to enact in lieu thereof two new sections relating to police relief and pension systems.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 86.223 and 86.353, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 86.223 and 86.353, to read as follows:

86.223. [Each trustee shall be entitled to one vote in the board. Six votes shall be necessary for a decision by the trustees at any meeting of the board] **Six trustees shall constitute a quorum for the transaction of business, and any official action of the board shall be based on the majority vote of the trustees present.**

86.353. The right of any person to a benefit, any other right accrued or accruing to any person under the provisions of sections 86.200 to 86.366 and the moneys created pursuant to sections 86.200 to 86.366 are not subject to execution, garnishment, attachment or any other process whatsoever and are unassignable except as in sections 86.200 to 86.366 specifically provided. [Notwithstanding the foregoing, nothing in this section shall prevent the board of trustees from honoring the terms of a court order requiring the retirement system to pay all or any portion of the retirement benefit otherwise payable to a retired or disabled member to a third party to satisfy the member's obligation to pay child support or maintenance.] **No court of competent jurisdiction may divide or set aside the pension, annuity, benefits, rights, or retirement allowance provided pursuant to sections 86.200 to 86.366 for any reason in any**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

- 11 **proceeding for dissolution of marriage.** Any relief association created pursuant to section
- 12 86.500 shall be exempt from the tax imposed by sections 143.011 to 143.1013, RSMo.