

## 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.

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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Section A. Sections 86.223 and 86.353, RSMo, are repealed  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. 1. 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. Any relief association created pursuant to section 86.500 shall be exempt from the tax imposed by sections 143.011 to 143.1013, RSMo.

2. No court shall divide or set aside any federal old-age survivors or disability insurance benefit provided to any party pursuant to the federal Social Security Act, 42 U.S.C. Section 200 et seq., in any proceeding for dissolution of marriage.

3. A court of competent jurisdiction may divide the pension, annuity, benefits, rights, and retirement allowance provided pursuant to sections 86.200 to 86.366 between the parties to any action for dissolution of marriage, to the same extent and in the same manner the court may divide any federal old-age survivors or disability insurance benefit of the parties provided pursuant to the federal Social Security Act. This section shall be applicable to dissolution of marriage proceedings pending or initiated on or after September 2, 2004.