

HB 1217 -- UNLAWFUL ASSIGNMENT OF PUBLIC PENSION BENEFITS

SPONSOR: Dugger

This bill prohibits a person's Missouri public employment retirement benefit from being transferred or assigned, at law or in equity. No moneys paid or payable or rights existing under a plan are subject to execution, levy, attachment, garnishment, or other legal process unless expressly authorized by the laws establishing a plan or specifically applicable to the plan.

No pension assignee can use any device, scheme, transfer, or other artifice to evade the applicability and prohibition of this provision. Any contract or agreement made in violation will be void and all sums paid or collected by an assignee must be returned.

Any benefit recipient, his or her guardian or conservator, or heir or beneficiary, or the attorney general may bring an action to enforce the restitution authorized under this section within five years. The attorney general can exercise the investigative and enforcement powers authorized under chapter 407.