

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1179

1 AN ACT TO AMEND SECTIONS 21-29-307, 25-11-129, 25-11-319 AND
2 25-13-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DEDUCTIONS FROM
3 RETIREMENT ALLOWANCES RECEIVED BY THE MEMBERS OF THE PUBLIC
4 EMPLOYEES' RETIREMENT SYSTEM FOR THE PAYMENT OF EMPLOYER OR SYSTEM
5 SPONSORED GROUP LIFE OR HEALTH INSURANCE, OR FOR THE PAYMENT OF
6 DUES AND OTHER MEMBERSHIP FEES FOR CERTAIN STATEWIDE RETIREMENT
7 ASSOCIATIONS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 21-29-307, Mississippi Code of 1972, is
10 amended as follows:

11 21-29-307. (1) The right of a person to an annuity, a
12 retirement allowance, or benefit, or to the return of
13 contributions, or to any optional benefit or any other right
14 accrued or accruing to any person under the provisions of Articles
15 1, 3 or 5 of this chapter; the system; and the monies in the
16 system created by those articles, are * * * exempt from any state,
17 county or municipal ad valorem taxes, income taxes, premium taxes,
18 privilege taxes, property taxes, sales and use taxes, or other
19 taxes not so named, notwithstanding any other provision of law to
20 the contrary, and exempt from levy and sale, garnishment,
21 attachment or any other process whatsoever, and shall be
22 unassignable except as * * * specifically otherwise provided in
23 Article 1, 3 or 5 of this chapter effective January 1, 1988, and
24 except as otherwise provided in subsection (2) of this section.

25 (2) Any retired member or beneficiary receiving a retirement
26 allowance or benefit under Article 1, 3 or 5 of this chapter may
27 authorize the Public Employees' Retirement System to make
28 deductions from the retirement allowance or benefit for the
29 payment of employer or system sponsored group life or health

insurance, or for the payment of dues and other membership fees to
any statewide retirement association composed primarily of retired
public employees or their beneficiaries receiving a retirement
allowance or benefit from a retirement plan administered by the
Board of Trustees of the Public Employees' Retirement System. The
deductions authorized under this subsection shall be subject to
rules and regulations adopted by the Board of Trustees of the
Public Employees' Retirement System.

SECTION 2. Section 25-11-129, Mississippi Code of 1972, is amended as follows:

25-11-129. (1) The right of a person to an annuity, a retirement allowance or benefit, or to the return of contributions, or to any optional benefit or any other right accrued or accruing to any person under the provisions of Articles 1 and 3, the system and the monies in the system created by those articles, are * * * exempt from any state, county or municipal ad valorem taxes, income taxes, premium taxes, privilege taxes, property taxes, sales and use taxes or other taxes not so named, notwithstanding any other provision of law to the contrary, and exempt from levy and sale, garnishment, attachment or any other process whatsoever, and shall be unassignable except as * * * specifically otherwise provided in this article and except as otherwise provided in subsection (2) of this section.

(2) Any retired member or beneficiary receiving a retirement allowance or benefit under this article may authorize the system to make deductions from the retirement allowance or benefit for the payment of employer or system sponsored group life or health insurance, or for the payment of dues and other membership fees to any statewide retirement association composed primarily of retired public employees or their beneficiaries receiving a retirement allowance or benefit from a retirement plan administered by the board. The deductions authorized under this subsection shall be subject to rules and regulations adopted by the board.

63 **SECTION 3.** Section 25-11-319, Mississippi Code of 1972, is
64 amended as follows:

65 25-11-319. (1) The right of a person to an annuity, a
66 retirement allowance or benefit, or to the return of
67 contributions, or to any optional benefit or any other right
68 accrued or accruing to any person under the provisions of the
69 Supplemental Legislative Retirement Plan, and the monies in the
70 plan created by this article, are exempt from any state or
71 municipal tax, and exempt from levy and sale, garnishment,
72 attachment or any other process whatsoever, and shall be
73 unassignable except as specifically otherwise provided in this
74 article.

75 (2) Any retired member or beneficiary receiving a retirement
76 allowance or benefit under this article may authorize the system
77 to make deductions from the retirement allowance or benefit for
78 the payment of employer or system sponsored group life or health
79 insurance, or from the payment of dues and other membership fees
80 to any statewide retirement association composed primarily of
81 retired public employees or their beneficiaries receiving a
82 retirement allowance or benefit for a retirement plan administered
83 by the board. The deductions authorized under this subsection
84 shall be subject to rules and regulations adopted by the board.

85 **SECTION 4.** Section 25-13-31, Mississippi Code of 1972, is
86 amended as follows:

87 25-13-31. The right of a person to an annuity, a retirement
88 allowance or benefit, or to the return of contributions, or to any
89 optional benefits or any other right accrued or accruing to any
90 person under the provisions of the Highway Patrol Retirement Law,
91 the system and the monies in the system created by that law,
92 are * * * exempt from any state, county or municipal ad valorem
93 taxes, income taxes, premium taxes, privilege taxes, property
94 taxes, sales and use taxes or other taxes not so named,
95 notwithstanding any other provision of law to the contrary, and

96 exempt from levy and sale, garnishment, attachment, or any other
97 process whatsoever, and shall be unassignable except as * * *
98 specifically otherwise provided in this article.

99 (2) Any retired member or beneficiary receiving a retirement
100 allowance or benefit under this article may authorize the Public
101 Employees' Retirement System to make deductions from the
102 retirement allowance or benefit for the payment of employer or
103 system sponsored group life or health insurance, or for the
104 payment of dues and other membership fees to any statewide
105 retirement association composed primarily of retired public
106 employees or their beneficiaries receiving a retirement allowance
107 or benefit from a retirement plan administered by the Board of
108 Trustees of the Public Employees' Retirement System. The
109 deductions authorized under this subsection shall be subject to
110 rules and regulations adopted by the Board of the Public
111 Employees' Retirement System.

112 **SECTION 5.** This act shall take effect and be in force from
113 and after July 1, 2004.