

House Bill 36 (AS PASSED HOUSE AND SENATE)

By: Representatives Randall of the 142<sup>nd</sup>, Epps of the 144<sup>th</sup>, Peake of the 141<sup>st</sup>, Dickey of the 140<sup>th</sup>, and Beverly of the 143<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act entitled "Macon Water Commissioners - Pension Plan," approved  
2 December 30, 1953 (Ga. L. 1953, p. 2831), as amended, particularly by an Act approved  
3 May 1, 2012 (Ga. L. 2012, p. 5637), so as to repeal a provision permitting the assignment of  
4 pension rights; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act entitled "Macon Water Commissioners - Pension Plan," approved December 30,  
8 1953 (Ga. L. 1953, p. 2831), as amended, particularly by an Act approved May 1, 2012 (Ga.  
9 L. 2012, p. 5637), is amended by revising Section 5.14 as follows:

10 "5.14 ASSIGNMENT OF BENEFITS; QUALIFIED DOMESTIC RELATIONS ORDER.

11 (a) No benefit payment or portion of the pension fund contributed by member employees  
12 or officers shall be subject to assignment or used as collateral for any claim or debt of any  
13 kind or character by any person, firm, or corporation whatsoever.

14 (b)(1) Neither a member nor any beneficiary shall have any right to alienate, commute,  
15 anticipate, or assign any of the benefits, payments, proceeds, or distributions of the plan.

16 (2) If a member or any beneficiary attempts to dispose of any benefits or the right to  
17 dispose of such benefits provided under the plan, or if there is an effort to seize such  
18 benefits or the right to receive such benefits by attachment, execution, or other legal or  
19 equitable process by any entity other than the authority, then the pension committee, in  
20 its discretion, may pass and transfer the benefit or right in such shares as the pension  
21 committee determines to one or more persons from among the beneficiaries, if any,  
22 designated by the member or to the spouse, children, or other dependents of the member.  
23 The pension committee may revoke any such appointment at any time and make further  
24 appointments to other persons, including to the member."

25

**SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.