

Regular Session, 2010

SENATE BILL NO. 13

BY SENATOR B. GAUTREAUX

RETIREMENT BENEFITS. Allows garnishment of Louisiana public retirement or pension system, plan, or fund benefits of an elected official or public employee to pay fine or restitution, or any costs of incarceration, probation, or parole, imposed for a felony associated with his office. (7/1/10)

1 AN ACT

2 To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111,
3 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691,
4 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of
5 pension or retirement benefits; to provide for garnishment or seizure of benefits from
6 public retirement or pension systems, plans, or funds; to provide relative to the
7 applicability of certain court orders to such benefits; to provide for garnishment or
8 seizure of such benefits to pay any fine or restitution, or any costs of incarceration,
9 probation, or parole, ordered for certain felony convictions associated with service
10 as an elected official or public employee; to provide for an effective date; and to
11 provide for related matters.

12 Notice of intention to introduce this Act has been published.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140,
15 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and
16 3823 are hereby amended and reenacted to read as follows:

17 §292. Seizure for child support; **garnishment or seizure related to felony**

1 **convictions**

2 **A.** Notwithstanding any other provision of law to the contrary, any
 3 retirement allowance, benefit, or refund of accumulated contributions paid to any
 4 member, former member, or retiree under the provisions of any public retirement
 5 system, or the portion of a retirement allowance, benefit, or refund of accumulated
 6 contributions paid to a spouse or former spouse under the provisions of R.S. 11:291,
 7 shall be subject to garnishment or court-ordered assignment to pay child support.

8 **B.(1) Notwithstanding any other provision of law to the contrary, any**
 9 **pension, retirement allowance, or benefit, or any refund of accumulated**
 10 **contributions payable to any member, former member, or retiree under the**
 11 **provisions of any public pension or retirement system, plan, or fund shall be**
 12 **subject to garnishment under a writ of fieri facias to pay any court-ordered**
 13 **restitution or fine, or any costs of incarceration, probation, or parole, imposed**
 14 **on such member, former member, or retiree as a result of a conviction of or a**
 15 **plea of guilty or nolo contendere to the commission of a felony for misconduct**
 16 **associated with such person's service as an elected official or public employee**
 17 **for which credit in the system, plan, or fund was earned or accrued.**

18 **(2) Notwithstanding any other provision of law to the contrary, a**
 19 **garnishment authorized pursuant to this Subsection shall not impinge on the**
 20 **community property interest of a spouse or former spouse not subject to the**
 21 **garnishment.**

22 **(3) Notwithstanding any other provision of law to the contrary, a**
 23 **garnishment authorized pursuant to this Subsection may be continuing in**
 24 **nature as necessary to pay the court-ordered restitution or fine in full.**

25 * * *

26 §570. Exemption from execution

27 Any annuity, retirement allowance or benefit, or refund of contributions, or
 28 any optional benefit or any other benefit paid or payable to any person under the
 29 provisions of this Subpart is exempt from state or municipal tax, and is exempt from

1 levy and sale, garnishment, attachment or any other process whatsoever, **except as**
2 **provided in R.S. 11:292**, and is unassignable.

3 * * *

4 §930. Exemption from execution

5 Annuity contracts issued under the optional retirement plan and all rights
6 thereto of a participant in the optional retirement plan shall be exempt from any state
7 or municipal tax, assessment for the insolvency of any life insurance company, any
8 levy or sale, garnishment, attachment, or any process whatsoever, **except as**
9 **provided in R.S. 11:292**, and shall be unassignable except as otherwise specifically
10 provided in the annuity contract.

11 * * *

12 §951.3. Pensions, benefits, etc., exemption from seizure

13 The right of a person to a pension, an annuity, or a retirement allowance, to
14 the return of contributions, the pension, annuity or retirement allowance itself, or any
15 other right accrued or accruing to any person under the provisions of this Part and
16 the money in the various accounts created by this Part shall not be subject to
17 execution, garnishment, attachment or any other process whatsoever, **except as**
18 **provided in R.S. 11:292**, and shall be unassignable except as specifically provided
19 for in this Part.

20 * * *

21 §952.3. Exemption of pension and other rights from levy and other processes

22 The right of a person to a retirement allowance, or to the return of
23 contributions; the retirement allowance itself; any optional benefit or any other right
24 accrued or accruing to any person under the provisions of this Part; and the moneys
25 in the funds created by this Part are exempt from any state or municipal tax, and
26 exempt from levy and sale, garnishment, attachment, or any other process
27 whatsoever, **except as provided in R.S. 11:292**, and shall be unassignable except
28 as otherwise specifically provided in this Part.

29 * * *

1 §1378. Retirement pay or pension; exemption from taxes and execution

2 Any retirement pay or pension paid to any judge or the surviving spouse of
3 any judge under the unfunded judicial retirement plan is exempt from any state or
4 municipal income tax, and is exempt from levy and sale, garnishment, attachment
5 or any other process whatsoever, **except as provided in R.S. 11:292.**

6 * * *

7 §1905. Exemption from execution

8 The following items are hereby exempt from any state or municipal tax and
9 from levy and sale, garnishment, attachment, or any other process whatsoever as
10 provided in this Chapter, except as provided in R.S. ~~42:720.21~~ **11:292**: the right of
11 a person to a pension, an annuity, or a retirement allowance, or to the return of
12 contributions, the pension, annuity, or retirement allowance itself, any optional
13 benefit or any other right accrued or accruing to any person, and the moneys in
14 various funds created by this Chapter. These enumerated items shall be
15 unassignable, except as in this Chapter specifically otherwise provided. Benefits
16 paid under this Chapter shall be exempt from state income tax. If the contributions
17 of an employee are paid by an employer in order to secure credit for service, these
18 funds may be assigned to the employer until such time as the employee has repaid
19 contributions so paid or the employer has released the contributions so paid by
20 written notice to the board.

21 * * *

22 §3014. Exemptions from execution

23 The right of a person to an annuity, a retirement allowance, or benefit, or to
24 the return of contributions, or to any optional benefit or any other right accrued or
25 accruing to any person under the provisions of this Part, and the monies in the system
26 created by this Part, ~~is~~ **are** hereby exempt from any state or municipal tax, and
27 exempt from levy and sale, garnishment, attachment, or any other process
28 whatsoever, **except as provided in R.S. 11:292**, and shall be unassignable except
29 as in this Part specifically otherwise provided.

* * *

§3051. Assignment prohibited

The right of a person to an annuity, a pension or any other benefit or refund, or any right accrued or accruing to any member or beneficiary under the provisions of this system, and the monies belonging to the system, shall be unassignable and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy, or the insolvency law or any other process of law except as specifically provided by the provisions of this system **and in R.S. 11:292**, and except that the City shall have the right to set off funds for any claim arising from embezzlement by or fraud of a member.

* * *

§3111. Exemption from seizure and attachment

~~No~~ **Except as provided in R.S. 11:292, no** portion of the ~~said~~ Firemen's Pension and Relief Fund shall, before or after its order for distribution is issued by the ~~said~~ Board of Trustees to the person or persons entitled thereto under the provisions of this Part, be held, seized, or levied upon, by virtue of any attachment, garnishment, execution, or order or decree, or any other process whatsoever, issued out of or by any court, for the payment or satisfaction, in whole or in part, of any debt, damage, claim, judgment, or decree against any beneficiary of such Fund; but shall be exempt therefrom. ~~That the said~~ **The** Fund shall be kept, held, and distributed for no purposes other than those provided for in this Part.

* * *

§3140. Exemption from seizure and attachment

~~No~~ **Except as provided in R.S. 11:292, no** portion of the Firemen's Pension and Relief Fund shall, before or after its order for distribution is issued by the board of trustees to the person or persons entitled thereto under the provisions of this Part, be held, seized, taken, subjected to, detained or levied upon, by virtue of any attachment, garnishment, execution, injunction, writ, order, decree or any other process whatsoever, issued out of or by any court of this state, for the payment or

1 satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or
 2 decree against any beneficiary of such Fund; but shall be exempt therefrom. The
 3 Fund shall be kept, held, and distributed solely for the purposes named in this Part
 4 and for no other purposes whatsoever.

* * *

6 §3198. Exemption from seizure and attachment

7 ~~That~~ **Except as provided in R.S. 11:292,** no portion of the said Firemen's
 8 Pension and Relief Fund shall, before or after its order for distribution is issued by
 9 the said board of trustees to the person or persons entitled thereto under the
 10 provisions of this Part, be held, seized, taken, subjected to, detained, or levied upon,
 11 by virtue of any attachment, garnishment, execution, injunction, writ, order, decree,
 12 or any other process whatsoever, issued out of or by any court of this state, for the
 13 payment or satisfaction, in whole or in part, for any debt, damage, demand, claim,
 14 judgment, or decree, against any beneficiary of such fund; but shall be exempt
 15 therefrom. ~~That said~~ **The** fund shall be sacredly kept, held, and distributed for the
 16 purposes named in this Part, and for no other purposes whatsoever.

* * *

18 §3229. Exemption from seizure and attachment

19 ~~No~~ **Except as provided in R.S. 11:292, no** portion of the Firemen's Pension
 20 and Relief Fund shall, before or after its order for distribution is issued by the board
 21 of trustees to the person or persons entitled thereto under the provisions of this Part,
 22 be held, seized, taken, subjected to, detained, or levied upon, by virtue of any
 23 attachment, garnishment, execution, injunction, writ, order, decree, or any other
 24 process whatsoever, issued out of or by any court of this state, for the payment or
 25 satisfaction, in whole or in part, of any debts, damage, demand, claim, judgment or
 26 decree against any beneficiary of such fund, but shall be exempt therefrom. The
 27 fund shall be kept, held, and distributed solely for the purposes named in this Part
 28 and for no other purposes whatsoever.

* * *

1 §3321. Exemption from seizure and attachment

2 A. ~~No~~ **Except as provided in R.S. 11:292, no** portion of the Firemen's
 3 Pension and Relief Fund shall, before or after any order for distribution is issued by
 4 the said board of directors to the person or persons entitled thereto under the
 5 provisions of this Part, be held, seized, or levied upon, by virtue of any attachment,
 6 garnishment, execution, or order or decree, or any other process whatsoever issued
 7 out of; or by any court, for the payment or satisfaction, in whole or in part, of any
 8 debt, damage, claim, judgment, or decree against any beneficiary of said fund; but
 9 shall be exempt therefrom. ~~That the said~~ **The** fund shall be kept, held, and
 10 distributed for no purpose other than those provided for in this Part.

11 * * *

12 §3345. Exemption from seizure

13 ~~No~~ **Except as provided in R.S. 11:292, no** portion of the pension fund shall,
 14 before or after its order for distribution is issued by the board of trustees to the
 15 person or persons entitled thereto under the provisions of this Part, be held, seized,
 16 taken, subjected to, detained, or levied upon by virtue of any attachment,
 17 garnishment, execution, writ, order, injunction, decree, or any other process
 18 whatsoever, issued out of or by any court of the state of Louisiana, for the payment;
 19 or satisfaction, in whole or in part, of any debt, claim, damage, demand, judgment,
 20 or any other decree against any beneficiary of this fund, but shall be exempt
 21 therefrom.

22 * * *

23 §3389. Exemption of pension and other rights from levy and other process

24 The right of a person to a pension, an annuity, a retirement allowance, or to
 25 the return of contributions; the pension, annuity, or retirement allowance itself; any
 26 optional benefit or any other right accrued or accruing to any person under the
 27 provisions of this Part; and the moneys in the various funds created by this Part are
 28 exempt from any state or municipal tax; **and** all state income tax, and exempt from
 29 levy and sale, garnishment, attachment, or any other process whatsoever, **except as**

1 **provided in R.S. 11:292,** and shall be unassignable except as otherwise specifically
 2 provided in this Part. The fund shall be sacredly held, kept, and secured and
 3 distributed for the purpose of pensioning the persons named in this Part and for the
 4 payment of death benefits and for no other purpose whatsoever.

* * *

6 §3408. Exemption from seizure and attachment

7 ~~No~~ **Except as provided in R.S. 11:292, no** portion of the fireman's pension
 8 and relief fund, before or after its order for distribution is issued by the board of
 9 trustees to the person or persons entitled thereto under the provisions of this Part,
 10 shall be held, seized, taken, subjected to, detained, or levied upon, by virtue of any
 11 attachment, garnishment, execution, injunction, writ, order, decree, or any other
 12 process whatsoever, issued out of or by any court of this state, for the payment or
 13 satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment, or
 14 decree against any beneficiary of such fund, but shall be exempt therefrom. The
 15 fund shall be kept, held, and distributed solely for the purposes named in this Part
 16 and for no other purposes whatsoever.

* * *

18 §3440. Exemption from seizure and attachment

19 ~~No~~ **Except as provided in R.S. 11:292, no** portion of the ~~said~~ Firemen's
 20 Pension and Relief Fund shall, before or after its order for distribution is issued by
 21 the ~~said~~ Board of Trustees to the person or persons entitled thereto under the
 22 provisions of this Part, be held, seized, taken, subjected to, detained, or levied upon,
 23 by virtue of any attachment, garnishment, execution, injunction, writ, order, decree,
 24 or any other process whatsoever, issued out of or by any court of this state, for the
 25 payment or satisfaction, in whole or in part, of any debt, damage, demand, claim,
 26 judgment, or decree, against any beneficiary of such fund, but shall be exempt
 27 therefrom. The Fund shall be sacredly kept, held, and distributed for the purposes
 28 named in this Part, and for no other purposes whatsoever.

* * *

1 §3470. Exemption from seizure and attachment

2 ~~That~~ **Except as provided in R.S. 11:292,** no portion of the ~~said~~ Firemen's
 3 Pension and Relief Fund shall, before or after its order for distribution is issued by
 4 the ~~said~~ board of trustees to the person or persons entitled thereto under the
 5 provisions of this Part, be held, seized, taken, subjected to, detained, or levied upon,
 6 by virtue of any attachment, garnishment, execution, injunction, writ, order, decree,
 7 or any other process whatsoever, issued out of or by any court of this state, for the
 8 payment or satisfaction, in whole or in part, of any debt, damage, demand, claim,
 9 judgment, or decree against any beneficiary of such fund~~;~~, but shall be exempt
 10 therefrom. ~~That said~~ **The** fund shall be sacredly kept, held, and distributed for the
 11 purposes named in this Part, and for no other purposes whatsoever.

12 * * *

13 §3513. Fund not subject to execution

14 ~~The~~ **Except as provided in R.S. 11:292, the** fund, or any portion thereof,
 15 before or after an order for its distribution is issued, shall be exempt from assignment
 16 or pledge by a beneficiary of the fund or from seizure by virtue of any judicial
 17 process issued against the beneficiary.

18 * * *

19 §3608. Attachment of fund; exemption from state income tax

20 A. ~~No~~ **Except as provided in R.S. 11:292, no** portion of the fund shall
 21 before or after the order for distribution is issued by the board of directors to the
 22 person or persons entitled thereto under the provisions of this Subpart, be held,
 23 seized, or levied upon, by virtue of any attachment, garnishment, execution~~;~~, or order
 24 or decree, or any other process whatsoever, issued out of~~;~~ or by~~;~~ any court, for the
 25 payment or satisfaction~~;~~, in whole or in part, of any debt, damage, claim, judgment,
 26 or decree against any beneficiary of such fund, but shall be exempt therefrom. The
 27 fund shall be kept, held, and distributed for no purpose other than those provided for
 28 in this Subpart. No present or future revision or amendments to the fund shall have
 29 the effect of reducing any benefit now in existence.

* * *

§3691. Exemption from execution

The right of a person to a pension, an annuity, or a retirement allowance, to the return of contributions, the pension, annuity, or retirement allowance itself, any optional benefit or any other right accrued or accruing to any person under the provisions of this Subpart, and the moneys in the various funds created by this Subpart, are hereby exempt from any state or municipal tax, and exempt from levy and sale, garnishment, attachment, or any other process whatsoever, **except as provided in R.S. 11:292**, and shall be unassignable except as in this Subpart specifically otherwise provided.

* * *

§3770. Exemption from seizure and attachment

~~No~~ **Except as provided in R.S. 11:292, no** portion of the ~~said~~ Bus Drivers' Pension and Relief Fund shall, before or after its order for distribution is issued by the ~~said~~ Board of Trustees to the person or persons entitled thereto under the provisions of this Part, be held, seized, taken, subjected to, detained, or levied upon by virtue of any attachment, garnishment, execution, injunction, writ, order, decree, ~~of or~~ any other process whatsoever, issued out of or by any ~~Court~~ **court** of this ~~State~~ **state** for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment, or decree, against any beneficiary of such fund, but shall be exempt therefrom. ~~That said~~ **The** Fund shall be sacredly kept, held, and distributed for the purposes named in this Part, **and** for no other purposes whatsoever.

* * *

§3800. Exemption from seizure and attachment

~~That no~~ **Except as provided in R.S. 11:292, no** portion of the ~~said~~ Electrical Workers' Pension and Relief Fund shall, before or after its order for distribution is issued by the ~~said~~ Board of Trustees to the person or persons entitled thereto under the provisions of this Part, be held, seized, taken, subjected to, detained, or levied

1 upon by virtue of any attachment, garnishment, execution, injunction, writ, order,
 2 decree, or any other process whatsoever, issued out of, or by, any ~~Court~~ court of this
 3 ~~State~~ state for the payment or satisfaction, in whole or in part, of any debt, damage,
 4 demand, claim, judgment, or decree, against any beneficiary of such Fund, but shall
 5 be exempt therefrom. ~~That said~~ The Fund shall be sacredly kept, held, and
 6 distributed for the purposes named in this Part, **and** for no other purposes
 7 whatsoever.

8 * * *

9 §3823. Exemption from execution

10 The right of a person to a pension, an annuity, or a retirement allowance or
 11 benefit, ~~or~~ or to the return of contributions; ~~the~~ pension, annuity, or retirement
 12 allowance itself; ~~to~~ any optional benefit; or any other right accrued or accruing to any
 13 person under the provisions of this Part or to any person with such rights in the
 14 Employees' Retirement System of the city of New Orleans ~~are~~ is exempt from any
 15 state or municipal tax and, ~~are~~ **except as provided in R.S. 11:292**, exempt from levy
 16 and sale, garnishment, attachment, or any other process whatsoever.

17 * * *

18 Section 2. R.S. 13:3881(D)(1) is hereby amended and reenacted to read as follows:

19 §3881. General exemptions from seizure

20 * * *

21 D.(1) Except as provided in Paragraph (2) of this Subsection **and in R.S.**
 22 **11:292**, the following shall be exempt from all liability for any debt except alimony
 23 and child support: all pensions, all tax-deferred arrangements, annuity contracts, and
 24 all proceeds of and payments under all tax-deferred arrangements and annuity
 25 contracts, as defined in Paragraph (3) of this Subsection.

26 * * *

27 Section 3. This Act shall become effective on July 1, 2010; if vetoed by the governor
 28 and subsequently approved by the legislature, this Act shall become effective on July 1,
 29 2010, or on the day following such approval by the legislature, whichever is later.

The original instrument was prepared by Lauren Bailey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Present law (R.S. 13:3881(A) and R.S. 20:33) provides for a general exemption from seizure under any writ, mandate, or process whatsoever for certain income or property of a debtor. Specifies that, except as provided in present law, the following shall be exempt from all liability for any debt except alimony and child support:

- (1) All pensions.
- (2) All tax-deferred arrangements.
- (3) Annuity contracts.
- (4) All proceeds of and payments under all tax-deferred arrangements and annuity contracts.

Proposed law retains present law. Provides that the pension or retirement benefit of an elected official or public employee may be garnished or seized to pay any fine or restitution or any costs of incarceration, probation, or parole, imposed as a penalty for conviction of a felony associated with his office. Further provides that such garnishment shall not impinge on the community property interest of a spouse or former spouse not subject to the garnishment.

Present law (R.S. 11:291) provides for protection of a spouse's community property interest in the public retirement or pension benefit of a member or retiree of a state or statewide retirement system.

The state public retirement systems are:

- (1) The Louisiana State Employees' Retirement System (LASERS);
- (2) The Teachers' Retirement System of Louisiana (Teachers');
- (3) The Louisiana School Employees' Retirement System (LSERS); and
- (4) The State Police Pension and Retirement System (SPPRS).

The statewide public retirement systems are:

- (1) The Assessors' Retirement Fund (LARF);
- (2) The Clerks of Court Retirement and Relief Fund (Clerks);
- (3) The District Attorneys' Retirement System (DARS);
- (4) The Firefighters' Retirement System (FRS);
- (5) The Municipal Employees' Retirement System of Louisiana (MERS);
- (6) The Municipal Police Employees' Retirement System (MPERS);
- (7) The Parochial Employees' Retirement System of Louisiana (PERS);

- (8) The Registrars of Voters Employees' Retirement System (ROVERS); and
- (9) The Sheriffs' Pension and Relief Fund (Sheriffs').

Proposed law retains present law.

Present law (R.S. 11:292) provides that notwithstanding any other provision of present law to the contrary, any retirement allowance, benefit, or refund of accumulated contributions paid to any member, former member, or retiree under the provisions of any public retirement system, or the portion of a retirement allowance, benefit, or refund of accumulated contributions paid to a spouse or former spouse under the provisions of present law (R.S. 11:291) shall be subject to garnishment or court-ordered assignment to pay child support.

Proposed law retains present law.

Various provisions of present law specific to particular public retirement or pension systems, plans, or funds provide that any annuity, retirement allowance or benefit, or refund of contributions, or any optional benefit or any other benefit paid or payable to any person under the provisions of present law is exempt from any state or municipal tax and is exempt from levy and sale, garnishment, attachment, or any other process whatsoever, and is unassignable.

Proposed law retains present law.

Some provisions of present law regarding such exemptions specify that garnishment or assignment pursuant to present law (R.S. 11:292) is an exception to the provisions exempting retirement or pension benefits from execution. Provide that benefits may be garnished or assigned pursuant to present law.

Proposed law retains present law. These provisions apply to LASERS, Teachers', LSERS, SPPRS, LARF, Clerks, DARS, MERS, the Employees' Retirement System of the city of Baton Rouge and the parish of East Baton Rouge, the Employees' Retirement System of the city of Shreveport, ROVERS, Sheriffs', MPERS, FRS, the Firemen's Pension and Relief Fund for the City of Bossier City, and the Policemen's Pension and Relief Fund for the city of Bossier City.

Other provisions of present law exempting retirement or pension benefits from garnishment or execution do not contain a specific reference to the exception for seizure for child support in present law (R.S. 11:292), although such exception applies to the benefits. These provisions apply to judges and court officers; members of the Teachers' Optional Retirement Plan; Orleans Parish school employees; LSU Retirement System members; employees of the city of Alexandria and of the city of Bogalusa; firefighters in the city of Alexandria, the consolidated fire districts of Bastrop, the city of Bossier City, the city of Houma, the city of Lake Charles, the city of Monroe, the city of New Orleans, Fire Protection District Number One for the parish of Ouachita, the city of Shreveport, and the city of West Monroe; police officers in any municipality having a population between 7,500 and 250,000 and in the city of Lafayette; and employees of the New Orleans Sewerage and Water Board.

Proposed law retains present law and adds specific reference to the applicable exception for child support contained in present law.

Proposed law provides that the pension or retirement benefit of a member, former member, or retiree payable from any public retirement or pension system, plan, or fund may be subject to seizure or garnishment for payment of any restitution or fine, or any costs of incarceration, probation, or parole, imposed upon conviction of or a plea of guilty or nolo contendere to a felony associated with the service as an elected official or public employee for which such retirement benefit was earned or accrued.

Proposed law provides that such garnishment shall not impinge on the community property interest of a spouse or former spouse not subject to the garnishment.

Proposed law specifies that, notwithstanding any provision of law to the contrary, a garnishment authorized pursuant to proposed law may be continuing in nature as necessary to pay the court-ordered restitution or fine in full.

Effective July 1, 2010.

(Amends R.S. 11: 292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823 and R.S. 13:3881(D)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Benefit may be garnished also for costs of incarceration, probation, or parole.
2. Allows garnishment of retirement benefit of public employee to pay fine, restitution, or costs of incarceration, probation, or parole.
3. Provides that a garnishment shall not impinge on the community property interest of a spouse or former spouse not subject to the garnishment.
4. Technical amendments.