

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** repealing section 1573., Jackson County Code, 1984, relating to the Pension Plan and enacting, in lieu thereof, one new section and one new-subsection relating to the same subject.

**ORDINANCE NO. 4649**, August 4, 2014

**INTRODUCED BY** Theresa Garza Ruiz, County Legislator

WHEREAS, the Pension Plan Board of Trustees has recommended a revision to the Plan to allow for the division of pension benefits, and the direct payment thereof, to a person other than a retired or disabled member, pursuant to court order for a division of property in a domestic relations case; and

WHEREAS, the recommended revision will bring the Plan into compliance with the best practices observed by other public pension plans; and

WHEREAS, the recommended revision is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore

**BE IT ORDAINED** by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 1573., Jackson County, 1984, is hereby repealed, and one new subsection and one new section enacted in lieu thereof, to be known as subsection 1503.47 and 1573., to read as follows, with existing subsections of section 1503. to be renumbered accordingly:

**1503.47**     State Domestic Relations Order.    The term "State Domestic Relations Order" shall mean an order entered by a court of any state in a domestic relations proceeding in accordance with the state's domestic relations law that creates or recognizes the existence of a non-Member Spouse's right, or assignment to the non-Member Spouse of the right to receive a portion of a Member's Accrued Benefit.

**1573. Benefits, Non-Assignable.**

None of the benefits under the Plan are subject to the claims of creditors of Members, Retired Members, Disabled Members or their Beneficiaries and will not be subject to attachment, garnishment or any other legal process. Neither a Member, a Retired Member, a Disabled Member, a Beneficiary, nor a Spouse or Domestic Partner may assign, sell, borrow on or otherwise encumber any of his beneficial interest in this Plan and the Trust Fund nor shall any such benefits be in any manner liable for or subject to the deeds, contracts, liabilities, engagements, or torts of any Member, Retired Member, Disabled Member, Beneficiary, or Spouse. Notwithstanding any of the foregoing, benefits shall be paid in accordance with any applicable requirements of any State Domestic Relations Order, provided that such State Domestic Relations Order complies with the written procedures adopted by the Board of Trustees pursuant to section 1541 of this chapter.

Effective Date: This Ordinance shall be effective immediately upon its passage by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4649 introduced on August 4, 2014, was duly passed on August 18, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

8.18.14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4649.

8/18/2014  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael D. Sanders, County Executive