

S.F. 438
(Betzold)

H.F. 2093
(Smith)

Executive Summary of Commission Staff Materials

Affected Pension Plan(s): Statewide and Major Local Retirement Plans
Relevant Provisions of Law: Minnesota Statutes, Section 356.401; Amendment to Related Provisions
General Nature of Proposal: Makes Anti-Assignment/Legal Process Exemption Provisions Uniform
Date of Summary: March 29, 2005

Specific Proposed Change

- Replaces the various exemptions from legal process provisions with a uniform legal process exemption provision, adding the provision for plans without the provision and including the basic components for plans lacking the provision.

Policy Issues Raised by the Proposed Legislation

1. Appropriateness of extending process exemption to plans without the exemption.
2. Appropriateness of extending automatic deposit provision.
3. Appropriateness of extending joint bank account authority.
4. Appropriateness of potential health insurance deduction authority.
5. Appropriateness of potential extension of public body payment and refund transfer authority.
6. Failure of retirement plans to address obvious administrative issue.

Potential Amendments

Substantive Amendments:

Amendment LCPR05-167 adds authority for plans to deduct health insurance premiums.

Amendment LCPR05-168 adds authority for plans to make payments to a public body.