

2012 -- H 7329

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - LEVY
AND SALE ON EXECUTION - POLICE PENSIONS

Introduced By: Representative Peter G. Palumbo

Date Introduced: February 02, 2012

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-26-5 of the General Laws in Chapter 9-26 entitled "Levy and Sale
2 on Execution" is hereby amended to read as follows:

3 **9-26-5. Exemption of police and firefighters' pensions -- Assignments invalid.** -- No
4 interest of any person in any pension fund or in any pension derivable therefrom, for the benefit
5 of police officers or firefighters, now or hereafter created or held by authority of law by any city
6 or town, or by any public officer or officers or board of officers therein, to which fund the city or
7 town contributes in any way, shall be subject to trustee process or liable to attachment on any
8 writ, original, mesne, or judicial, or be taken on execution or any process, legal or equitable; and
9 no assignment of any such interest shall be valid. Provided, however, that where such person's
10 liability results from entry of a civil judgment based on a conviction for murder as defined in
11 sections 11-23-1 and 11-23-2.1, this section shall not apply.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - LEVY
AND SALE ON EXECUTION - POLICE PENSIONS

1 This act would remove the exemption of a police or firefighters' pension from levy and
2 sale of execution where such person's liability results from entry of a civil judgment based on a
3 conviction for murder as defined in sections 11-23-1 and 11-23-2.1.

4 This act would take effect upon passage.

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