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## CHAPTER 267

AN ACT to amend 38.24 (17), 42.52 and 66.81; to create 71.03 (2) (g) of the statutes; and to amend section 59.130 of chapter 155, laws of 1937, as amended by chapter 487, laws of 1955, and chapter 201, laws of 1937, section 11, as amended by chapter 239, laws of 1953, relating to the repeal of special tax exemptions applying to retirement benefits received from Milwaukee public school teachers' annuity and retirement fund, Wisconsin state teachers retirement system, employe's retirement system of the city of Milwaukee, Milwaukee county employes' retirement system, sheriff's annuity and benefit fund of Milwaukee county, policemen's annuity and benefit fund of Milwaukee, or firemen's annuity and benefit fund of Milwaukee.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 38.24 (17) of the statutes is amended to read:

38.24 (17) All annuities granted under the provisions of this section shall be exempt from taxation, and from execution, attachment and gar-

nishment process, and no annuitant shall have the right to transfer or assign his annuity. *The exemption from taxation contained herein shall not apply with respect to any tax on income.*

SECTION 2. 42.52 of the statutes is amended to read:

42.52 The benefits payable to, or other right and interest of any member, beneficiary, or distributee of any estate under any provision of the state teachers retirement law shall be exempt from any tax levied by the state or any subdivision thereof, and exempt from levy and sale, garnishment, attachment or any other process whatsoever, and shall be unassignable except as specifically provided herein. An annuitant may, however, direct the board to deduct premiums for group insurance carried under s. 66.919 and to pay such moneys into the general fund to the credit of s. 20.408 (41). *The exemption from taxation contained herein shall not apply with respect to any tax on income.*

SECTION 3. 66.81 of the statutes is amended to read:

66.81 All moneys and assets of any retirement system of any city of the first class and all benefits and allowances and every portion thereof, both before and after payment to any beneficiary, granted under any such retirement system shall be exempt from any state, county or municipal tax or from attachment or garnishment process, and shall not be seized, taken, detained or levied upon by virtue of any executions, or any process or proceeding whatsoever issued out of or by any court of this state, for the payment and ratification in whole or in part of any debt, claim, damage, demand or judgment against any member of or beneficiary under any such retirement system, and no member of or beneficiary under any such retirement system shall have any right to assign his benefit or allowance, or any part thereof, either by way of mortgage or otherwise; however, this prohibition shall not apply to assignments made for the payment of insurance premiums. *The exemption from taxation contained herein shall not apply with respect to any tax on income.*

SECTION 4. 71.03 (2) (g) of the statutes is created to read:

71.03 (2) (g) All payments received from the Milwaukee public school teachers' annuity and retirement fund, Wisconsin state teachers retirement system, employe's retirement system of the city of Milwaukee, Milwaukee county employes' retirement system, sheriff's annuity and benefit fund of Milwaukee county, policemen's annuity and benefit fund of Milwaukee, or firemen's annuity and benefit fund of Milwaukee, which are paid on the account of any person who was a member of the paying system or fund as of December 31, 1963, or was retired from any of the aforesaid systems or funds as of said date.

SECTION 5. Chapter 155, laws of 1937, section 59.130, as last amended by chapter 487, laws of 1955, is amended to read:

(Chapter 155, laws of 1937) Section 59.130. All moneys and other assets in and of the annuity and benefit fund herein provided for and all annuities and disability benefits granted under this section and every portion of such annuities and benefits both before and after payment to any annuitant or other beneficiary, shall be exempt from any state, county or municipal tax, or attachment or garnishment process and shall not be seized, taken, detained or levied upon by virtue of any execution, or any process or proceeding issued out of or by any court in this state, for the payment and satisfaction in whole or in part of any debt, claim, damage, demand, or judgment against any annuitant or other beneficiary hereunder, and no such annuitant or other beneficiary shall have any right to transfer or assign his or her annuity or disability benefit or any part thereof either by

way of mortgage or otherwise; provided, that the annuity and pension board may at its option and under rules and regulations promulgated by it permit retired members or other beneficiaries to assign a portion of their retirement or disability allowance for the regular monthly payment of medical, surgical and hospital care. *The exemption from taxation contained herein shall not apply with respect to any tax on income.*

SECTION 6. Chapter 201, laws of 1937, section 11, as last amended by chapter 239, laws of 1953, is amended to read:

(Chapter 201, laws of 1937) Section 11. All moneys and assets of the retirement system and all benefits and allowances, and every portion thereof, both before and after payment to any beneficiary, granted under the retirement system shall be exempt from any state, county or municipal tax, and from attachment or garnishment process, and shall not be seized, taken, detained or levied upon by virtue of any executions, or any process or proceeding whatsoever issued out of or by any court of this state, for the payment and ratification in whole or in part of any debt, claim, damage, demand or judgment against any member of or beneficiary under the retirement system, and no member of or beneficiary under the retirement system shall have any right to assign his benefit or allowance, or any part thereof, either by way of mortgage or otherwise, provided, however, that the annuity and pension board may at its option and under rules and regulations promulgated by it permit retired members to assign a portion of their retirement allowance for the regular monthly payment of medical, surgical and hospital care. *The exemption from taxation contained herein shall not apply with respect to any tax on income.*

SECTION 7. This bill is declared to be an emergency bill, in accordance with the requirements of section 16.47 (2) of the statutes.

Approved August 17, 1963.