

## CHAPTER 95

## S.B. No. 17

## AN ACT

relating to the exemption of property in this state from the satisfaction of another state's judgment or claim for unpaid income taxes on certain retirement benefits.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle A, Title 5, Property Code, is amended by adding Chapter 44 to read as follows:

**CHAPTER 44. TAXATION OF RETIREMENT BENEFITS BY ANOTHER STATE**

*Sec. 44.001. DEFINITION. In this chapter, "pension or other retirement plan" includes:*

*(1) an annuity, pension, or profit-sharing or stock bonus or similar plan established to provide retirement benefits for an officer or employee of a public or private employer or for a self-employed individual;*

*(2) an annuity, pension, or military retirement pay plan or other retirement plan administered by the United States; and*

*(3) an individual retirement account.*

*Sec. 44.002. PROPERTY EXEMPT. All property in this state is exempt from attachment, execution, and seizure for the satisfaction of a judgment or claim in favor of another state or political subdivision of another state for failure to pay that state's or that political subdivision's income tax on benefits received from a pension or other retirement plan.*

*Sec. 44.003. LIEN NOT CREATED. A claim or judgment in favor of another state or political subdivision of another state for failure to pay that state's or that political subdivision's income tax on benefits received from a pension or other retirement plan may not be a lien on any property in this state owned by a resident of this state.*

SECTION 2. This Act applies to the attachment, execution, and seizure of property to satisfy a judgment without regard to whether the judgment was entered before, on, or after the effective date of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on February 10, 1993: Yeas 31, Nays 0; passed the House on April 23, 1993: Yeas 131, Nays 0, two present not voting.

Filed without signature May 7, 1993.

Effective May 7, 1993.