

§1203. Legal process and assignment

The right of a person to a retirement allowance, the retirement allowance itself, the refund of a person's accumulated contributions, any death benefit, any other right accrued or accruing to a person under this chapter and the money in the various funds created by this chapter are not subject to execution, garnishment, attachment or any other process and are unassignable except that: [PL 1991, c. 746, §2 (RPR); PL 1991, c. 746, §10 (AFF).]

1. Retirement allowance available for child support. A member's retirement allowance is available to satisfy a child support obligation that is otherwise enforceable by execution, garnishment, attachment, assignment or other process; [PL 1991, c. 746, §2 (NEW); PL 1991, c. 746, §10 (AFF).]

2. Accumulated contributions available for child support. A member's accumulated contributions that are refundable under sections 1305-A and 1305-B are available to satisfy a child support obligation that is otherwise enforceable by execution, garnishment, attachment, assignment or other process; [PL 2011, c. 606, §5 (AMD).]

3. Qualified domestic relations order. The rights and benefits of a member or retiree under this chapter are subject to the rights of or assignment to an alternate payee, as defined in Title 5, section 17001, subsection 3-B, under a qualified domestic relations order in accordance with Title 5, section 17059; and [PL 2011, c. 606, §6 (AMD).]

4. Forfeiture and restitution. The rights and benefits of a member or retiree under this chapter are subject to forfeiture or assignment to the member's spouse, dependent or former spouse in accordance with the provisions of Title 5, section 17062. [PL 2011, c. 606, §7 (NEW).]

SECTION HISTORY

PL 1983, c. 853, §§C15,18 (NEW). PL 1983, c. 863, §§B11,B45 (AMD). PL 1991, c. 746, §2 (RPR). PL 1991, c. 746, §10 (AFF). PL 2007, c. 137, §5 (AMD). PL 2011, c. 606, §§5-7 (AMD).

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