**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.