**Section 1650.1115 Benefits Affected by a QILDRO**

a) A QILDRO may apply only to the following benefits administered by the System:

1) A monthly retirement benefit;

2) A single sum retirement benefit;

3) A termination refund;

4) A partial member's refund; or

5) A return of accumulated contributions payable to a member's designated beneficiary upon death; or

6) A survivor benefit, if and only if payable as a lump sum.

b) If a QILDRO applies to any partial member's refund that becomes payable, the aggregate amount paid to the alternate payee from all partial member's refunds shall not exceed the amount specified in the QILDRO.

c) A QILDRO shall not apply to any of the following:

1) A monthly survivor benefit;

2) A disability benefit as defined in Section 1650.1110(e) of this Subpart;

3) A Teachers' Retirement Insurance Program ("TRIP") benefit or any other health insurance benefit; or

4) An error refund as defined in Section 1650.1110(d) of this Subpart.

d) If a benefit or refund subject to a QILDRO is also subject to tax lien or withholding order, the System will deduct the amount due pursuant to the tax lien or withholding order prior to deducting the amount due pursuant to the QILDRO, until the System receives different instructions from the court that issued the QILDRO. It is the member's or alternate payee's responsibility to obtain clarification from the court if the QILDRO should take priority ahead of a competing tax lien or withholding order.

(Source: Amended at 32 Ill. Reg. 4073, effective February 28, 2008)