

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8383. Rights to Annuity.

(a) The right to a retirement annuity, disability annuity, survivor's annuity or benefit, death benefit, or any other benefit under the provisions of this part, by whatever named called, or the right to refund, is personal with the recipient thereof, and the assignment or transfer of a benefit or any part thereof, shall be voided, except as herein provided; any such annuity, benefit or refund shall not answer for debts contracted by the person receiving the same, except as herein provided. It is the intention of this part that they shall not be attached or affected by any judicial proceedings, except as herein provided.

(b) Benefits specified in subsection (a) of this section, other than the right to refund, may be allotted for savings with the Commonwealth Government Employee's Credit Union, and may be assigned or transferred for the payment of, and may answer for, debts to the Commonwealth Government Employees' Credit Union or spousal and child support obligations arising out of judicial proceedings, and may be attached, garnished, or otherwise affected by judicial proceedings for the collection of such debts or obligations. Benefits specified in this section that are payable to a recipient in an amount exceeding \$30,000 per year may be set-off, assigned, or otherwise transferred administratively or judicially or both for the payment of, and to answer for, debts owed by the recipient to the Commonwealth Government or its political subdivisions.

Source: PL 6-17, ch. 8, § 8382; amended by PL 10-37, § 8; (b) amended PL 13-60, § 6(h); (b) amended PL 13-60, § 6(h); (b) amended by PL 15-70, § 4(i).

Commission Comment: PL 13-60 was enacted on December 5, 2003 and contained, in addition to other enactments, a short title, findings and purpose, severability, and savings clause provisions. See the comment to 1 CMC § 8253 regarding PL 13-60.

Public Law 15-70, which was entitled "The Defined Benefit Plan Reform Act [DBPRA] of 2007," was enacted on June 14, 2007, and contained, in addition to other enactments, findings and purpose, transition, severability, and savings provisions. See the comment to 1 CMC § 8382 for details of PL 15-70.