

20:16:18:33. Nonalienation of benefits. No benefit payable at any time under the plan may be subject in any manner to alienation, sale, transfer, assignment, pledge, attachment, or encumbrance of any kind. An attempt to encumber a benefit in any way is void. A benefit is not subject in any manner to the debts or liabilities of a person to whom the benefit is payable. However, the board may make distributions pursuant to a qualified domestic relations order as defined in Internal Revenue Code § 414(p), if the board has notified the employee and any alternate payee of the order and has determined that the order is a qualified domestic relations order.

Source: 28 SDR 109, effective February 11, 2002; 36 SDR 207, effective July 1, 2010; 40 SDR 197, effective May 27, 2014.

General Authority: SDCL 3-12-222.

Law Implemented: SDCL 3-12-218, 3-12-219.