

OREGON ADMINISTRATIVE RULE  
PUBLIC EMPLOYEES RETIREMENT BOARD  
CHAPTER 459  
DIVISION 045 – DOMESTIC RELATIONS ORDERS

**459-045-0070**

**Precedence for Benefit Payment Reductions or Deductions**

(1) The order of priority when the alternate payee award is a reduction of a member's benefit payment is as follows:

- (a) Adjustment for payments to be made from the Benefit Equalization Fund as established under ORS 238.485.
- (b) Withholding for an alternate payee benefit payment.
- (c) Withholding for an overpayment or erroneous payment of benefit.
- (d) Withholding for federal and state income taxes, and other current taxes.
- (e) Withholding in response to support liens in accordance with ORS 238.445.
- (f) Withholding in response to Internal Revenue Service (IRS) liens.
- (g) Withholding due to other administrable court orders.
- (h) Withholding for a premium payment of a PERS-sponsored health insurance plan.
- (i) Other voluntary withholdings authorized by the Board and elected by the member or beneficiary of the member.

(2) The order of priority when the alternate payee award is a deduction from a member's benefit payment is as follows:

- (a) Adjustment for payments to be made from the Benefit Equalization Fund as established under ORS 238.485.
- (b) Withholding for an overpayment or erroneous payment of benefit.
- (c) Withholding for federal and state income taxes, and other current taxes.
- (d) Withholding for an alternate payee benefit payment.
- (e) Withholding in response to support liens in accordance with ORS 238.445.
- (f) Withholding in response to Internal Revenue Service (IRS) liens.
- (g) Withholding due to other administrable court orders.
- (h) Withholding for a premium payment of a PERS-sponsored health insurance plan.
- (i) Other voluntary withholdings authorized by the Board and elected by the member or beneficiary of the member.

Stat. Auth.: ORS 238.650, 238.715(9) & 238A.450

Stats. Implemented: ORS 238.465