**Section 1650.1110 Definitions**

a) The definitions in Section 1-119(a) of the Illinois Pension Code (the "Act") [40 ILCS 5/1-119(a)] shall apply to this Subpart.

b) The phrase "death benefit" in Section 1-119(a)(2) of the Act [40 ILCS 5/1-119(a)(2)] includes:

1) A refund of any remaining accumulated contributions;

2) A refund payable to a deceased member's designated beneficiary because the member elected a 2.2 upgrade and dies before making the full upgrade contribution; or

3) A survivor benefit under Section 16-141 or Section 16-142 of the Act [40 ILCS 5/16-141, 16-142] if and only if payable as a lump sum.

c) The phrase "member's refund" in Section 1-119(a)(5) of the Act [40 ILCS 5/1-119(a)(5)] does not include an "error refund" as defined in subsection (d) of this Section.

d) The phrase "error refund" as used in this Subpart includes:

1) A refund paid to a member as the result of an error in a payment to the System; or

2) A refund payable to a living member resulting from an overpayment made by a TRS-covered employer for a 2.2 upgrade.

e) The phrase "disability benefit" in Section 1-119(a)(3) of the Act [40 ILCS 5/1-119(a)(3)] includes:

1) A disability benefit under Section 16-149 of the Act [40 ILCS 5/16-149];

2) An occupational disability benefit under Section 16-149.1 of the Act [40 ILCS 5/16-149.1]; or

3) A disability retirement annuity under Section 16-149.2 of the Act [40 ILCS 5/16-149.2].

f) The phrase "member's retirement benefit" as used in this Subpart means the total amount of the "retirement benefit" as defined in Section 1-119(a)(8) of the Act [40 ILCS 5/1-119(a)(8)] that would be payable to the member in the absence of a QILDRO.

g) The phrase "partial member's refund" as used in this Subpart includes:

1) A refund of survivor benefit contributions;

2) A partial refund of retirement contributions as provided under Section 16-152(d) of the Act [40 ILCS 5/16-152(d)];

3) An upgrade contribution refund payable to a living member who has elected a 2.2 upgrade, because:

A) The member has creditable service in excess of 34 years;

B) The member is entitled to a 1% reduction in the upgrade contribution for every three full years of creditable service;

C) An actuarial calculation provides a greater benefit than an upgraded final average salary calculation; or

D) The member failed to make the full upgrade contribution in a timely fashion;

4) A refund of contributions for excess optional service as provided in Section 1650.410(b); or

5) A refund of contributions for the Early Retirement Option under Section 16-152(e) of the Act [40 ILCS 5/16-152(e)].

h) The phrase "effective date of the QILDRO" or any similar phrase as used in this Subpart means the date that a retirement benefit, refund, or lump-sum death benefit to which the QILDRO applies becomes payable.

i) The phrase "valid receipt date" or any similar phrase as used in this Subpart means the date the System received a valid court order.

j) The phrase "valuation procedures established by the retirement system" in Section 503(b)(2) of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/503(b)(2)], with respect to the Teachers' Retirement System, means the benefit information provided by the System for divorce purposes in accordance with Section 1650.1122.

k) The phrase "percentage QILDRO" or any similar phrase as used in this Subpart means any portion of the QILDRO that expresses an amount payable to the alternate payee as a percentage rather than a specified dollar amount.

l) The phrase "alternate payee share" or any similar phrase as used in this Subpart means that portion of any benefit or refund allocated to the alternate payee in the QILDRO.

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