



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3740

Introduced 2/24/2005, by Rep. Robert S. Molaro

SYNOPSIS AS INTRODUCED:

40 ILCS 5/17-151.1 new

Amends the Chicago Teacher Article of the Illinois Pension Code. Provides that the Board may retain out of any annuity or benefit payable to any person any amount that the Board determines is owing to the Fund because (i) required employee contributions were not made in whole or in part, (ii) employee or member obligations to return refunds were not met, or (iii) money was paid to any employee, member, or annuitant through misrepresentation, fraud, or error. Effective immediately.

LRB094 11363 EFG 42228 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by adding
5 Section 17-151.1 as follows:

6 (40 ILCS 5/17-151.1 new)

7 Sec. 17-151.1. Recovery of amount paid in error.

8 (a) The Board may retain out of any annuity or benefit
9 payable to any person any amount that the Board determines is
10 owing to the Fund because (i) required employee contributions
11 were not made in whole or in part, (ii) employee or member
12 obligations to return refunds were not met, or (iii) money was
13 paid to any employee, member, or annuitant through
14 misrepresentation, fraud, or error.

15 (b) The Board and the Fund shall be held free from any
16 liability for any money retained or paid in accordance with
17 this Section, and the employee, member, or pensioner shall be
18 assumed to have assented and agreed to the disposition of money
19 due.

20 (c) The changes made by this amendatory Act of the 94th
21 General Assembly are not limited to persons in service on or
22 after the effective date of this amendatory Act.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.