

1 AN ACT in relation to 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  
5 changing Section 17-125 as follows:

6 (40 ILCS 5/17-125) (from Ch. 108 1/2, par. 17-125)

7 Sec. 17-125. Refund of contributions. Upon certification  
8 by the Employer of his resignation or cancellation of his  
9 teaching certificate prior to completion of the minimum term  
10 of service required to establish eligibility for a pension  
11 and on written application therefor, a teacher shall be paid  
12 a refund of all the amounts he has contributed to the Fund,  
13 less any former refund that has not been repaid.

14 Upon certification by the Employer of his resignation or  
15 cancellation of his teaching certificate after completion of  
16 the minimum term of service required to establish eligibility  
17 for a pension and on written application therefor, a teacher  
18 shall be paid a refund of all the amounts he has contributed,  
19 less (1) any former refund that has not been repaid, and (2)  
20 pension payments received, provided he has executed and  
21 delivered to the Board his written receipt and release in  
22 that behalf. Thereupon, he shall have no further interest in  
23 or claim against the Fund.

24 A request for refund under either of the preceding  
25 paragraphs shall be considered valid if withdrawal from  
26 service occurred at least 2 months prior to the filing of  
27 such request.

28 Upon retirement of a teacher either on immediate or  
29 deferred pension, if the teacher is not then married, or if  
30 his spouse or children do not meet the qualifying conditions  
31 for survivor's or children's pensions, the total amount

1 contributed by him or otherwise paid by deductions from  
2 salary for survivor's pension, shall be refunded to him,  
3 without interest. No survivor's or children's pension rights  
4 shall be effective thereafter in such a case.

5 Upon the retirement of a married teacher on either  
6 immediate or deferred pension, if all of the teacher's  
7 eligible survivors predeceased him or her, the total amount  
8 contributed by the teacher or otherwise paid by deductions  
9 from salary for survivor's pension shall be refunded to the  
10 teacher together with interest thereon at the rate of 5% per  
11 annum compounded annually from the date of retirement to the  
12 date of repayment by Fund.

13 During a teacher's term of service, no refund is payable  
14 except contributions made in error.

15 (Source: P.A. 90-566, eff. 1-2-98.)

16 Section 90. The State Mandates Act is amended by adding  
17 Section 8.25 as follows:

18 (30 ILCS 805/8.25 new)

19 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
20 and 8 of this Act, no reimbursement by the State is required  
21 for the implementation of any mandate created by this  
22 amendatory Act of the 92nd General Assembly.

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