

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, together
14 with interest thereon at the rate of 5% per annum, compounded
15 annually.

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

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

30 Upon retirement of a teacher either on immediate or
31 deferred pension, if the teacher is not then married, or if

1 his spouse or children do not meet the qualifying conditions
2 for survivor's or children's pensions, the total amount
3 contributed by him or otherwise paid by deductions from
4 salary for survivor's pension, shall be refunded to him
5 together with interest thereon at the rate of 5% per annum,
6 compounded annually,~~without interest.~~ No survivor's or
7 children's pension rights shall be effective thereafter in
8 such a case.

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

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

12 Section 90. The State Mandates Act is amended by adding
13 Section 8.25 as follows:

14 (30 ILCS 805/8.25 new)

15 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
16 and 8 of this Act, no reimbursement by the State is required
17 for the implementation of any mandate created by this
18 amendatory Act of the 92nd General Assembly.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.