



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/4/2004, by John J. Cullerton

SYNOPSIS AS INTRODUCED:

40 ILCS 5/17-151.1 new

Amends the Chicago Teachers Article of the Illinois Pension Code. Provides that the Board of Trustees of the Chicago Teachers Pension Fund may retain out of any annuity or benefit payable to any person any amount or amounts that the Board may determine are owing to the fund because (1) required contributions were not made in whole or in part, (2) employee or member obligations to return refunds were not met, or (3) money was paid to an employee, member, or pensioner through misrepresentation, fraud, or error. Effective immediately.

LRB093 20760 LRD 46656 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. Recoupment.

8 (a) The Board may retain out of any annuity or benefit
9 payable to any person any amount or amounts that the Board may
10 determine are owing to the fund because (1) required
11 contributions were not made in whole or in part, (2) employee
12 or member obligations to return refunds were not met, or (3)
13 money was paid to an employee, member, or pensioner 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 any such disposition of
19 money due.

20 (c) The provisions of this Section are not limited to
21 persons in service on or after the effective date of this
22 amendatory Act of the 93rd General Assembly.

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