

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 15-155.1 as follows:

6 (40 ILCS 5/15-155.1 new)

7 Sec. 15-155.1. Actions to enforce payments by employers.

8 (a) Except as otherwise specified, if any employer fails to  
9 transmit to the System contributions required of it under this  
10 Article or contributions collected by it from its participating  
11 employees for the purposes of this Article for more than 120  
12 days after the payment of those contributions is due, the  
13 Board, after giving notice to that employer, may certify to the  
14 State Comptroller the amounts of such delinquent payments in  
15 accordance with any applicable rules of the Comptroller, and  
16 the Comptroller shall deduct the amounts so certified or any  
17 part thereof from any payments of State funds to the employer  
18 involved and shall remit the amount so deducted to the System.  
19 If State funds from which such deductions may be made are not  
20 available or if deductions are delayed for longer than 120 days  
21 after the date of the certification to the Comptroller, the  
22 Board may proceed against the employer to recover the amounts  
23 of such delinquent payments in the appropriate circuit court.

1       (b) Except as otherwise specified, if any employer that is  
2       a community college district fails to transmit to the System  
3       contributions required of it under this Article or  
4       contributions collected by it from its participating employees  
5       for the purposes of this Article for more than 120 days after  
6       the payment of those contributions is due, the Board, after  
7       giving notice to that employer, may certify the fact of such  
8       delinquent payment to the county treasurer of the county in  
9       which that employer is located, who shall thereafter remit the  
10       amounts collected from any taxes levied by the employer  
11       directly to the System. If the funds from which such  
12       remittances may be made are not available or if the remittances  
13       are delayed for longer than 120 days after the date of the  
14       certification to the county treasurer, the Board may proceed  
15       against the employer to recover the amounts of such delinquent  
16       payments in the appropriate circuit court.

17       (c) Nothing in this Section prohibits the Board from  
18       proceeding against an employer to recover the amounts of any  
19       delinquent payments in the appropriate circuit court.

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