

HB1513



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1513

Introduced 2/14/2011, by Rep. Lisa M. Dugan

SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-4-10 new

Amends the Illinois Municipal Code. Provides that a municipality may, within 6 months after making an overpayment of wages directly to an employee, deduct the overpayment from the employee's regularly scheduled wage payment without the written consent of the employee. Sets forth the conditions that must be met in order for a municipality to deduct from an employee's wages. Effective immediately.

LRB097 10175 KMW 50365 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by adding
5 Section 10-4-10 as follows:

6 (65 ILCS 5/10-4-10 new)

7 Sec. 10-4-10. Power to recover the overpayment of wages.
8 Within 6 months after making an overpayment of wages that are
9 paid directly to an employee, a municipality may deduct the
10 overpayment from the employee's regularly scheduled wage
11 payment in one or more deductions without the written consent
12 of the employee if all of the following conditions are met:

13 (1) The municipality provides the employee with a written
14 notice of the deduction at least one month before the wage
15 payment affected by the deduction is made. This notice must
16 provide the amount of overpayment that will be recovered and
17 the terms by which the overpayment will be recovered.

18 (2) The deduction from any one regularly scheduled wage
19 payment does not reduce that payment by more than 20%.

20 (3) The deduction is made after the employer has made all
21 deductions expressly permitted or required by law or a
22 collective bargaining agreement, and after any
23 employee-authorized deduction.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.