Proposed Change in the Law

This bill allows courts to award reasonable attorney’s fees and costs in actions where the payment of benefits to a member or beneficiary is brought under the Illinois Pension Code or Pension Protection Clause of the Illinois Constitution.

The provisions of the bill apply to all Illinois public pension funds.

Reasons for Position

Exactly which lawsuits this provision applies to is unclear. If it applies to cases brought under the Administrative Review Law, it would essentially be penalizing the Fund for making what may have been merely a mistake in interpreting the Pension Code.