



General Assembly

February Session, 2014

**Raised Bill No. 382**

LCO No. 2027



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT CONCERNING THE OVERPAYMENT OF BENEFITS TO  
RETIRED STATE EMPLOYEES.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 5-156c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) Should any change or error in records result in any member or  
4 beneficiary receiving from any retirement system administered by the  
5 State Employees Retirement Commission more or less than he would  
6 have been entitled to receive had the records been correct, then upon  
7 discovery of any such error the Retirement Commission shall notify  
8 the member or beneficiary affected and correct the same, and as far as  
9 practicable shall adjust the payments in such manner that the actuarial  
10 equivalent of the benefit to which such member or beneficiary was  
11 correctly entitled shall be paid, provided if such change or error results  
12 in any member or beneficiary receiving less than he would have been  
13 eligible to receive, such member or beneficiary may elect to have such  
14 benefit paid in a single payment.

15 (b) If a member or beneficiary has been overpaid through no fault of  
16 his own, and he could not reasonably have been expected to detect the  
17 error, the Retirement Commission may waive any repayment which it  
18 believes would cause hardship, except if the member or beneficiary  
19 has been so overpaid for a period of more than twenty-four months  
20 and the audit that discovered such overpayment was conducted after  
21 such twenty-four-month period, the Retirement Commission shall  
22 wave any repayment.

23 (c) The Retirement Commission shall adopt regulations, in  
24 accordance with the provisions of chapter 54, establishing criteria for  
25 the waiver of repayment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	5-156c

**Statement of Purpose:**

To prevent the state from recouping overpayments of retirement benefits to a retired state employee when the state has not conducted an audit within twenty-four months.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*