



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5034

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

25 ILCS 115/1

from Ch. 63, par. 14

Amends the General Assembly Compensation Act. Provides that in any year in which the total allowance for lodging, meals, and mileage for automobile travel provided under the Act is less than the total amount allowed for such expenses under the Internal Revenue Code regarding tax deductions for trade or business expenses and the Code of Federal Regulations regarding travel expenses of state legislators, a member of the General Assembly may elect during that year to be reimbursed for the difference between the lodging, meals, and mileage reimbursement provided under the Act and the full lodging, meals, and mileage expenses allowed by the Internal Revenue Code and the Code of Federal Regulations, in lieu of receiving an equivalent portion of annual salary. Provides that the full reimbursement amount paid to a member shall be reduced by an amount equal to the rate of State income tax provided under a specified Section of the Illinois Income Tax Act. Provides that the member shall make the election in a manner provided by the Comptroller and shall be made in sufficient time for the processing by the Comptroller of the relevant salary and reimbursements. Provides that members of the General Assembly Retirement System shall contribute and be credited for salary without regard to the equivalent portion salary reduction. Effective immediately.

LRB100 18135 RJF 33330 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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

4 Section 5. The General Assembly Compensation Act is amended
5 by changing Section 1 as follows:

6 (25 ILCS 115/1) (from Ch. 63, par. 14)

7 Sec. 1. Each member of the General Assembly shall receive
8 an annual salary of \$28,000 or as set by the Compensation
9 Review Board, whichever is greater. The following named
10 officers, committee chairmen and committee minority spokesmen
11 shall receive additional amounts per year for their services as
12 such officers, committee chairmen and committee minority
13 spokesmen respectively, as set by the Compensation Review Board
14 or, as follows, whichever is greater: Beginning the second
15 Wednesday in January 1989, the Speaker and the minority leader
16 of the House of Representatives and the President and the
17 minority leader of the Senate, \$16,000 each; the majority
18 leader in the House of Representatives \$13,500; 6 assistant
19 majority leaders and 5 assistant minority leaders in the
20 Senate, \$12,000 each; 6 assistant majority leaders and 6
21 assistant minority leaders in the House of Representatives,
22 \$10,500 each; 2 Deputy Majority leaders in the House of
23 Representatives \$11,500 each; and 2 Deputy Minority leaders in

1 the House of Representatives, \$11,500 each; the majority caucus
2 chairman and minority caucus chairman in the Senate, \$12,000
3 each; and beginning the second Wednesday in January, 1989, the
4 majority conference chairman and the minority conference
5 chairman in the House of Representatives, \$10,500 each;
6 beginning the second Wednesday in January, 1989, the chairman
7 and minority spokesman of each standing committee of the
8 Senate, except the Rules Committee, the Committee on
9 Committees, and the Committee on Assignment of Bills, \$6,000
10 each; and beginning the second Wednesday in January, 1989, the
11 chairman and minority spokesman of each standing and select
12 committee of the House of Representatives, \$6,000 each. A
13 member who serves in more than one position as an officer,
14 committee chairman, or committee minority spokesman shall
15 receive only one additional amount based on the position paying
16 the highest additional amount. The compensation provided for in
17 this Section to be paid per year to members of the General
18 Assembly, including the additional sums payable per year to
19 officers of the General Assembly shall be paid in 12 equal
20 monthly installments. The first such installment is payable on
21 January 31, 1977. All subsequent equal monthly installments are
22 payable on the last working day of the month. A member who has
23 held office any part of a month is entitled to compensation for
24 an entire month.

25 Mileage shall be paid at the rate of 20 cents per mile
26 before January 9, 1985, and at the mileage allowance rate in

1 effect under regulations promulgated pursuant to 5 U.S.C.
2 5707(b)(2) beginning January 9, 1985, for the number of actual
3 highway miles necessarily and conveniently traveled by the most
4 feasible route to be present upon convening of the sessions of
5 the General Assembly by such member in each and every trip
6 during each session in going to and returning from the seat of
7 government, to be computed by the Comptroller. A member
8 traveling by public transportation for such purposes, however,
9 shall be paid his actual cost of that transportation instead of
10 on the mileage rate if his cost of public transportation
11 exceeds the amount to which he would be entitled on a mileage
12 basis. No member may be paid, whether on a mileage basis or for
13 actual costs of public transportation, for more than one such
14 trip for each week the General Assembly is actually in session.
15 Each member shall also receive an allowance of \$36 per day for
16 lodging and meals while in attendance at sessions of the
17 General Assembly before January 9, 1985; beginning January 9,
18 1985, such food and lodging allowance shall be equal to the
19 amount per day permitted to be deducted for such expenses under
20 the Internal Revenue Code; however, beginning May 31, 1995, no
21 allowance for food and lodging while in attendance at sessions
22 is authorized for periods of time after the last day in May of
23 each calendar year, except (i) if the General Assembly is
24 convened in special session by either the Governor or the
25 presiding officers of both houses, as provided by subsection
26 (b) of Section 5 of Article IV of the Illinois Constitution or

1 (ii) if the General Assembly is convened to consider bills
2 vetoed, item vetoed, reduced, or returned with specific
3 recommendations for change by the Governor as provided in
4 Section 9 of Article IV of the Illinois Constitution. For
5 fiscal year 2011 and for session days in fiscal years 2012,
6 2013, 2014, 2015, 2016, 2017, and 2018 only (i) the allowance
7 for lodging and meals is \$111 per day and (ii) mileage for
8 automobile travel shall be reimbursed at a rate of \$0.39 per
9 mile.

10 Notwithstanding any other provision of law to the contrary,
11 beginning in fiscal year 2012, travel reimbursement for General
12 Assembly members on non-session days shall be calculated using
13 the guidelines set forth by the Legislative Travel Control
14 Board, except that fiscal year 2012, 2013, 2014, 2015, 2016,
15 2017, and 2018 mileage reimbursement is set at a rate of \$0.39
16 per mile.

17 In any year in which the total allowance for lodging,
18 meals, and mileage for automobile travel provided under this
19 Section is less than the total amount allowed for such expenses
20 under Section 162 of the Internal Revenue Code regarding tax
21 deductions for trade or business expenses and the Code of
22 Federal Regulations under 26 CFR Section 1.162-24 regarding
23 travel expenses of state legislators, a member may elect during
24 that year to be reimbursed for the difference between the
25 lodging, meals, and mileage reimbursement provided in this
26 Section and the full lodging, meals, and mileage expenses

1 allowed by the Internal Revenue Code under Section 162 and the
2 Code of Federal Regulations under 26 CFR 1.162-24, in lieu of
3 receiving an equivalent portion of annual salary. The full
4 reimbursement amount paid to the member shall be reduced by an
5 amount equal to the rate of State income tax provided under
6 Section 201 of the Illinois Income Tax Act. The member shall
7 make the election in a manner provided by the Comptroller and
8 shall be made in sufficient time for the processing by the
9 Comptroller of the relevant salary and reimbursements. Members
10 of the General Assembly Retirement System shall contribute and
11 be credited for salary without regard to the equivalent portion
12 salary reduction provided in this paragraph.

13 If a member dies having received only a portion of the
14 amount payable as compensation, the unpaid balance shall be
15 paid to the surviving spouse of such member, or, if there be
16 none, to the estate of such member.

17 (Source: P.A. 99-355, eff. 8-13-15; 99-523, eff. 6-30-16;
18 100-25, eff. 7-26-17.)

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