

SB1751



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1751

Introduced 2/19/2009, by Sen. Tim Bivins

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-137.1
30 ILCS 805/8.33 new

from Ch. 108 1/2, par. 7-137.1

Amends the IMRF Article of the Illinois Pension Code. In the provisions allowing certain annuitants to hold elective office without participating in the Fund or losing their retirement annuities, allows a separate election for each term of office. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 07604 AMC 17700 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT in relation to 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 changing
5 Section 7-137.1 as follows:

6 (40 ILCS 5/7-137.1) (from Ch. 108 1/2, par. 7-137.1)

7 Sec. 7-137.1. Elected officials.

8 (a) A person holding an elective office who has elected to
9 participate in the Fund while in that office may revoke that
10 election and cease participating in the Fund by notifying the
11 Board in writing before January 1, 1992.

12 Upon such revocation, the person shall forfeit all
13 creditable service earned while holding that office, and the
14 Board shall refund to the person, without interest, all
15 employee contributions paid for the forfeited creditable
16 service. The Board shall also refund or credit to the employing
17 municipality, without interest, the employer contributions
18 relating to the forfeited service, except those for death and
19 disability.

20 (b) Notwithstanding the provisions of Sections 7-141 and
21 7-144, beginning January 1, 1992, a person who holds an
22 elective office and has not elected to participate in the Fund
23 with respect to that term of office (or has revoked his

1 election to participate with respect to that term of office
2 under subsection (a) of this Section) shall not be disqualified
3 from receiving a retirement annuity during that term of office
4 by reason of holding that ~~such~~ office, provided that the
5 annuity is not based on any credits received for participating
6 during ~~while holding~~ that term of office.

7 (Source: P.A. 87-740.)

8 Section 90. The State Mandates Act is amended by adding
9 Section 8.33 as follows:

10 (30 ILCS 805/8.33 new)

11 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
12 of this Act, no reimbursement by the State is required for the
13 implementation of any mandate created by this amendatory Act of
14 the 96th General Assembly.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.