



HJ0017

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1 HOUSE JOINT RESOLUTION

2 WHEREAS, Article XIII, Section 5 of the Illinois  
3 Constitution provides that "[m]embership in any pension or  
4 retirement system of the State, any unit of local government or  
5 school district, or any agency or instrumentality thereof,  
6 shall be an enforceable contractual relationship, the benefits  
7 of which shall not be diminished or impaired"; and

8 WHEREAS, The Illinois Supreme Court has held that the  
9 purpose of this provision is to ensure that pension benefits of  
10 public employees are not diminished or impaired; and

11 WHEREAS, Before the adoption of the present Illinois  
12 Constitution in 1970, pension benefits were considered in the  
13 nature of a gratuity or bounty that could be revoked at will;  
14 and

15 WHEREAS, An increasingly important question is whether a  
16 prospective diminishment in pension benefits, meaning a  
17 diminishment that applies only to an employee's future service,  
18 not to benefits already accrued from the employee's prior  
19 service, causes pension benefits to be diminished or impaired;  
20 therefore, be it

21 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE

1 NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
2 SENATE CONCURRING HEREIN, that there is created the Pension  
3 Reform Task Force; and be it further

4 RESOLVED, That the Task Force shall be charged with  
5 assessing whether a prospective diminution in pension benefits  
6 for current public employees is consistent with the prohibition  
7 on the diminishment and impairment of pension benefits under  
8 Article XIII, Section 5 of the Illinois Constitution; and be it  
9 further

10 RESOLVED, That the Task Force shall be composed of the  
11 following:

- 12 (1) one member appointed by the Speaker of the House;  
13 (2) one member appointed by the President of the  
14 Senate;  
15 (3) one member appointed by the House Minority Leader;  
16 (4) one member appointed by the Senate Minority Leader;  
17 (5) one member who shall serve as the Chair of the Task  
18 Force, appointed by the Governor; and  
19 (6) and one member appointed by the Attorney General;  
20 and be it further

21 RESOLVED, That the staff of the Commission on Government  
22 Forecasting and Accountability shall be responsible for  
23 staffing the Task Force in conjunction with the Illinois

1 pension systems' actuaries and staff; and be it further

2       RESOLVED, That the Task Force shall hold hearings, no less  
3 than one per month, between June of 2011 and December of 2011;  
4 and be it further

5       RESOLVED, That the Task Force shall report its findings to  
6 the General Assembly and the Governor on or before January 1,  
7 2012.