

1 AN ACT concerning public employees.

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 14-111 as follows:

6 (40 ILCS 5/14-111) (from Ch. 108 1/2, par. 14-111)

7 Sec. 14-111. Re-entry after ~~After~~ retirement.

8 (a) An annuitant who re-enters the service of a department  
9 and receives compensation on a regular payroll shall receive no  
10 payments of the retirement annuity during the time he is so  
11 employed, with the following exceptions:

12 (1) An annuitant who is employed by a department while  
13 he or she is a continuing participant in the General  
14 Assembly Retirement System under Sections 2-117.1 and  
15 14-105.4 will not be considered to have made a re-entry  
16 after retirement within the meaning of this Section for the  
17 duration of such continuing participation. Any person who  
18 is a continuing participant under Sections 2-117.1 and  
19 14-105.4 on the effective date of this amendatory Act of  
20 1991 and whose retirement annuity has been suspended under  
21 this Section shall be entitled to receive from the System a  
22 sum equal to the annuity payments that have been withheld  
23 under this Section, and shall receive the benefit of this

1 amendment without regard to Section 1-103.1.

2 (2) An annuitant who accepts temporary employment from  
3 such a department (i) for a period not exceeding 75 working  
4 days in any calendar year or (ii) for total compensation of  
5 less than \$30,000 during a calendar year is not considered  
6 to make a re-entry after retirement within the meaning of  
7 this Section. Any part of a day on temporary employment is  
8 considered a full day of employment.

9 (b) If such person re-enters the service of a department,  
10 not as a temporary employee, contributions to the system shall  
11 begin as of the date of re-employment and additional creditable  
12 service shall begin to accrue. He shall assume the status of a  
13 member entitled to all rights and privileges in the system,  
14 including death and disability benefits, excluding a refund of  
15 contributions.

16 Upon subsequent retirement, his retirement annuity shall  
17 consist of:

18 (1) the amounts of the annuities terminated by re-entry  
19 into service; and

20 (2) the amount of the additional retirement annuity  
21 earned by the member during the period of additional  
22 membership service which shall not be subject to  
23 reversionary annuity if any.

24 The total retirement annuity shall not, however, exceed the  
25 maximum applicable to the member at the time of original  
26 retirement. In the computation of any such retirement annuity,

1 the time that the member was on retirement shall not interrupt  
2 the continuity of service for the computation of final average  
3 compensation and the additional membership service shall be  
4 considered, together with service rendered before the previous  
5 retirement, in establishing final average compensation.

6 A person who re-enters the service of a department within 3  
7 years after retiring may qualify to have the retirement annuity  
8 computed as though the member had not previously retired by  
9 paying to the System, within 5 years after re-entry and prior  
10 to subsequent retirement, in a lump sum or in installment  
11 payments in accordance with such rules as may be adopted by the  
12 Board, an amount equal to all retirement payments received,  
13 including any payments received in accordance with subsection  
14 (c) or (d) of Section 14-130, plus regular interest from the  
15 date retirement payments were suspended to the date of  
16 repayment.

17 (Source: P.A. 86-1488; 87-794.)

18 Section 10. The School Code is amended by changing Section  
19 24-1 as follows:

20 (105 ILCS 5/24-1) (from Ch. 122, par. 24-1)

21 Sec. 24-1. Appointment - Salaries - Payment - School month  
22 - School term.) School boards shall appoint all teachers,  
23 determine qualifications of employment and fix the amount of  
24 their salaries subject to limitation set forth in this Act.

1 They shall pay the wages of teachers monthly, subject, however,  
2 to the provisions of Section 24-21. The school month shall be  
3 the same as the calendar month but by resolution the school  
4 board may adopt for its use a month of 20 days, including  
5 holidays. The school term shall consist of at least the minimum  
6 number of pupil attendance days required by Section 10-19, any  
7 additional legal school holidays, days of teachers'  
8 institutes, or equivalent professional educational  
9 experiences, and one or two days at the beginning of the school  
10 term when used as a teachers' workshop.

11 A school board is prohibited from hiring multiple people  
12 who are retired and are receiving a retirement annuity under  
13 the Teachers' Retirement System of the State of Illinois in  
14 order to fill, as a group, a teaching position that would  
15 ordinarily be occupied by a single, full-time teacher. However,  
16 this prohibition does not apply to schools operated by the  
17 Illinois Department of Human Services, or if the school board  
18 determines that there is a subject or administrative position  
19 shortage that would require action, in which case the school  
20 board must apply for an exemption under Section 16-150.1 of the  
21 Illinois Pension Code.

22 (Source: P.A. 80-249.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.