



Rep. Elgie R. Sims, Jr.

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09800HB3899ham001

LRB098 15459 RPM 56106 a

1 AMENDMENT TO HOUSE BILL 3899

2 AMENDMENT NO. _____. Amend House Bill 3899 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 17-129 and by adding Section 17-129.1 as
6 follows:

7 (40 ILCS 5/17-129) (from Ch. 108 1/2, par. 17-129)

8 Sec. 17-129. Employer contributions; deficiency in Fund.

9 (a) If in any fiscal year of the Board of Education ending
10 prior to 1997 the total amounts paid to the Fund from the Board
11 of Education (other than under this subsection, and other than
12 amounts used for making or "picking up" contributions on behalf
13 of teachers) and from the State do not equal the total
14 contributions made by or on behalf of the teachers for such
15 year, or if the total income of the Fund in any such fiscal
16 year of the Board of Education from all sources is less than

1 the total such expenditures by the Fund for such year, the
2 Board of Education shall, in the next succeeding year, in
3 addition to any other payment to the Fund set apart and
4 appropriate from moneys from its tax levy for educational
5 purposes, a sum sufficient to remove such deficiency or
6 deficiencies, and promptly pay such sum into the Fund in order
7 to restore any of the reserves of the Fund that may have been
8 so temporarily applied. Any amounts received by the Fund after
9 December 4, 1997 from State appropriations, including under
10 Section 17-127, shall be a credit against and shall fully
11 satisfy any obligation that may have arisen, or be claimed to
12 have arisen, under this subsection (a) as a result of any
13 deficiency or deficiencies in the fiscal year of the Board of
14 Education ending in calendar year 1997.

15 (b) (i) Notwithstanding any other provision of this
16 Section, and notwithstanding any prior certification by the
17 Board under subsection (c) for fiscal year 2011, the Board of
18 Education's total required contribution to the Fund for fiscal
19 year 2011 under this Section is \$187,000,000.

20 (ii) Notwithstanding any other provision of this Section,
21 the Board of Education's total required contribution to the
22 Fund for fiscal year 2012 under this Section is \$192,000,000.

23 (iii) Notwithstanding any other provision of this Section,
24 the Board of Education's total required contribution to the
25 Fund for fiscal year 2013 under this Section is \$196,000,000.

26 (iv) For fiscal years 2014 through 2059, the minimum

1 contribution to the Fund to be made by the Board of Education
2 in each fiscal year shall be an amount determined by the Fund
3 to be sufficient to bring the total assets of the Fund up to
4 90% of the total actuarial liabilities of the Fund by the end
5 of fiscal year 2059. In making these determinations, the
6 required Board of Education contribution shall be calculated
7 each year as a level percentage of the applicable employee
8 payrolls over the years remaining to and including fiscal year
9 2059 and shall be determined under the projected unit credit
10 actuarial cost method.

11 (v) Beginning in fiscal year 2060, the minimum Board of
12 Education contribution for each fiscal year shall be the amount
13 needed to maintain the total assets of the Fund at 90% of the
14 total actuarial liabilities of the Fund.

15 (vi) Notwithstanding any other provision of this
16 subsection (b), for any fiscal year, the contribution to the
17 Fund from the Board of Education shall not be required to be in
18 excess of the amount calculated as needed to maintain the
19 assets (or cause the assets to be) at the 90% level by the end
20 of the fiscal year.

21 (vii) Any contribution by the State to or for the benefit
22 of the Fund, including, without limitation, as referred to
23 under Section 17-127, shall be a credit against any
24 contribution required to be made by the Board of Education
25 under this subsection (b).

26 (c) The Board shall determine the amount of Board of

1 Education contributions required for each fiscal year on the
2 basis of the actuarial tables and other assumptions adopted by
3 the Board and the recommendations of the actuary, in order to
4 meet the minimum contribution requirements of subsections (a)
5 and (b). Annually, on or before February 28, the Board shall
6 certify to the Board of Education the amount of the required
7 Board of Education contribution for the coming fiscal year. The
8 certification shall include a copy of the actuarial
9 recommendations upon which it is based. Beginning in fiscal
10 year 2015, the Board shall submit vouchers for payment of Board
11 of Education contributions on or as soon as possible after the
12 15th day of each month, in a total monthly amount of
13 one-twelfth of the Board of Education's required annual
14 contribution certified under this subsection.

15 (Source: P.A. 96-889, eff. 4-14-10.)

16 (40 ILCS 5/17-129.1 new)

17 Sec. 17-129.1. Actions to enforce Board of Education
18 contributions. If the Board of Education fails to transmit to
19 the Fund contributions required of it under this Article or
20 contributions collected by it from its participating employees
21 for the purposes of this Article for more than 90 days after
22 receipt of voucher, the Fund, after giving notice to the Board
23 of Education, may certify to the State Comptroller the amounts
24 of such delinquent payments and the Comptroller shall deduct
25 the amounts so certified or any part thereof from any grants of

1 State funds to the Board of Education and shall pay the amount
2 so deducted to the Fund. If State funds from which such
3 deductions may be made are not available, the Fund may certify
4 to the City Treasurer of Chicago the amounts of such delinquent
5 payments and the City Treasurer of Chicago shall deduct the
6 amounts so certified or any part thereof from the tax levied by
7 the Board of Education under Section 34-53 of the School Code
8 and shall pay the amount so deducted directly to the Fund.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".