



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB0426

by Rep. Thomas Morrison

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/16-153.6 new	
40 ILCS 5/16-153.7 new	
40 ILCS 5/16-203	
40 ILCS 5/20-121	from Ch. 108 1/2, par. 20-121
40 ILCS 5/20-123	from Ch. 108 1/2, par. 20-123
40 ILCS 5/20-124	from Ch. 108 1/2, par. 20-124
40 ILCS 5/20-125	from Ch. 108 1/2, par. 20-125

Amends the Downstate Teacher Article of the Illinois Pension Code. Directs the System to establish a self-managed plan. The plan applies only to teachers whose employers adopt the plan and only to teachers who make an election to participate in the plan. Specifies the terms and contents of the plan and the method of electing to participate. Defines terms. Contains a new benefit increase exception. Makes conforming changes to the Retirement Systems Reciprocal Act (Article 20 of the Code). Effective immediately.

LRB099 03587 RPS 23595 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning 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 adding  
5 Sections 16-153.6 and 16-153.7 and changing Sections 16-203,  
6 20-121, 20-123, 20-124, and 20-125 as follows:

7 (40 ILCS 5/16-153.6 new)

8 Sec. 16-153.6. Retirement program elections.

9 (a) For the purposes of this Section and Section 16-153.7:

10 "Traditional benefit package" means the package of  
11 benefits provided under this Article (including Section 1-160  
12 and Article 20, where applicable), other than the self-managed  
13 plan.

14 "Self-managed plan" means the self-managed plan  
15 established under Section 16-153.7.

16 "Employer" means an employer of teachers who participate in  
17 this System.

18 "Eligible teacher" means a teacher (as defined in Section  
19 16-106) who is either a currently eligible teacher or a newly  
20 eligible teacher.

21 "Currently eligible teacher" means a teacher who is  
22 employed by an employer on the date on which that employer  
23 offers the self-managed plan to its teachers as an alternative

1 to the traditional benefit package.

2 "Newly eligible teacher" means a teacher who first becomes  
3 employed by an employer after the effective date on which that  
4 employer offers the self-managed plan to its teachers as an  
5 alternative to the traditional benefit package.

6 (b) Every teacher who is a member of this System  
7 participates in the traditional benefit package, unless he or  
8 she has elected under this Section to participate in the  
9 self-managed plan.

10 (c) Beginning on the date that an employer chooses to offer  
11 the self-managed plan to its teachers as an alternative to the  
12 traditional benefit package, each of that employer's eligible  
13 teachers shall be given the opportunity to elect to participate  
14 in the self-managed plan with respect to all periods of covered  
15 employment occurring on or after the effective date of the  
16 teacher's election. The election must be made in writing, in  
17 the manner prescribed by the System, and within the time period  
18 prescribed in subsection (d).

19 The election to participate in the self-managed plan is a  
20 one-time, irrevocable election. If a teacher terminates  
21 employment after making that election, then upon his or her  
22 subsequent re-employment by an employer who has adopted the  
23 self-managed plan, that election shall automatically continue  
24 in effect.

25 (d) A currently eligible teacher must make the election  
26 within one year after the effective date of the employer's

1 adoption of the self-managed plan. A newly eligible teacher  
2 must make the election within 6 months after the date on which  
3 the System receives the report of status certification from the  
4 employer.

5 (e) If a teacher elects to participate in the self-managed  
6 plan, no employer contributions shall be remitted to the  
7 self-managed plan when the teacher's account balance transfer  
8 is made. Employer contributions to the self-managed plan shall  
9 commence as of the first pay period that begins after the  
10 System receives the teacher's election.

11 (f) An eligible teacher shall be provided with written  
12 information prepared or prescribed by the System which  
13 describes the teacher's retirement program choices. The  
14 eligible teacher shall be offered an opportunity to receive  
15 counseling from the System prior to making his or her election.  
16 This counseling may consist of video materials, group  
17 presentations, individual consultation with an employee or  
18 authorized representative of the System in person or by  
19 telephone or other electronic means, or any combination of  
20 these methods.

21 (40 ILCS 5/16-153.7 new)

22 Sec. 16-153.7. Self-managed plan.

23 (a) Findings; plan. The General Assembly finds that it is  
24 important for school districts to be able to attract and retain  
25 the most qualified teachers and that in order to attract and

1 retain these teachers, school districts should have the  
2 flexibility to provide a defined contribution plan as an  
3 alternative for eligible teachers who elect not to participate  
4 in the traditional benefit package provided under this Article.

5 Accordingly, the System is hereby authorized to establish  
6 and administer a self-managed plan, which shall offer  
7 participating teachers the opportunity to accumulate assets  
8 for retirement through a combination of teacher and employer  
9 contributions that may be invested in mutual funds, collective  
10 investment funds, or other investment products and used to  
11 purchase annuity contracts, either fixed or variable or a  
12 combination thereof. The plan must be qualified under the  
13 Internal Revenue Code of 1986.

14 The System shall be the plan sponsor for the self-managed  
15 plan and shall prepare a plan document and prescribe such rules  
16 and procedures as are considered necessary or desirable for the  
17 administration of the self-managed plan. Consistent with its  
18 fiduciary duty to the participants and beneficiaries of the  
19 self-managed plan, the Board of Trustees of the System may  
20 delegate aspects of plan administration as it sees fit to  
21 companies authorized to do business in this State, to the  
22 employers, or to a combination of both.

23 (b) Adoption by employers. Each employer of teachers under  
24 this Article may elect to adopt the self-managed plan  
25 established under this Section; this election is irrevocable.  
26 An employer's election to adopt the self-managed plan makes

1 available to the eligible teachers of that employer the  
2 election described in Section 16-153.6.

3 (c) Service providers and funding vehicles. The System, in  
4 consultation with the employers, shall solicit proposals to  
5 provide administrative services and funding vehicles for the  
6 self-managed plan from insurance and annuity companies and  
7 mutual fund companies, banks, trust companies, or other  
8 financial institutions authorized to do business in this State.  
9 In reviewing the proposals received and approving and  
10 contracting with no fewer than 2 and no more than 7 companies,  
11 the Board of Trustees of the System shall consider, among other  
12 things, the following criteria:

13 (1) the nature and extent of the benefits that would be  
14 provided to the participants;

15 (2) the reasonableness of the benefits in relation to  
16 the premium charged;

17 (3) the suitability of the benefits to the needs and  
18 interests of the participating teachers and the employer;

19 (4) the ability of the company to provide benefits  
20 under the contract and the financial stability of the  
21 company; and

22 (5) the efficacy of the contract in the recruitment and  
23 retention of teachers.

24 The System, in consultation with the employers, shall  
25 periodically review each approved company. A company may  
26 continue to provide administrative services and funding

1 vehicles for the self-managed plan only so long as it continues  
2 to be an approved company under contract with the Board.

3 (d) Teacher direction. Teachers who are participating in  
4 the program must be allowed to direct the transfer of their  
5 account balances among the various investment options offered,  
6 subject to applicable contractual provisions. The participant  
7 shall not be deemed a fiduciary by reason of providing such  
8 investment direction. A person who is a fiduciary shall not be  
9 liable for any loss resulting from such investment direction  
10 and shall not be deemed to have breached any fiduciary duty by  
11 acting in accordance with that direction. Neither the System  
12 nor the employer guarantees any of the investments in the  
13 teacher's account balances.

14 (e) Participation. To participate in the self-managed  
15 plan, an eligible teacher must make a written election in  
16 accordance with Section 16-153.6 and the procedures  
17 established by the System. Participation in the self-managed  
18 plan by an electing teacher shall begin on the first day of the  
19 first pay period following the later of (1) the date the  
20 teacher's election is filed with the System or (2) the  
21 effective date on which the teacher's employer begins to offer  
22 participation in the self-managed plan. A teacher's  
23 participation in the traditional benefit package under this  
24 Article shall terminate on the date that participation in the  
25 self-managed plan begins.

26 A teacher who has elected to participate in the

1 self-managed plan must continue participation while employed  
2 in an eligible position, and may not participate in the  
3 traditional benefit package while employed by that employer or  
4 any other employer that has adopted the self-managed plan,  
5 unless the self-managed plan is terminated.

6 Participation in the self-managed plan under this Section  
7 shall constitute membership in the System.

8 A participant under this Section shall be entitled to the  
9 benefits of Article 20 of this Code.

10 (f) Initial account balance. If at the time a teacher  
11 elects to participate in the self-managed plan he or she has  
12 rights and credits in the System due to previous participation  
13 in the traditional benefit package, the System shall establish  
14 for the teacher an opening account balance in the self-managed  
15 plan, equal to the amount of contribution refund that the  
16 teacher would be eligible to receive under Section 16-138 if  
17 the teacher terminated employment on that date and elected a  
18 refund of contributions, except that this hypothetical refund  
19 shall include interest at the effective rate for the respective  
20 years. The System shall transfer assets from the defined  
21 benefit retirement program to the self-managed plan as a tax  
22 free transfer in accordance with Internal Revenue Service  
23 guidelines, for purposes of funding the teacher's opening  
24 account balance.

25 (g) Service credit. Notwithstanding any other provision of  
26 this Article, a teacher may not purchase or receive service or



1 service credit applicable to any other retirement program  
2 administered by the System under this Article for any period  
3 during which the teacher was a participant in the self-managed  
4 plan established under this Section.

5 (h) Contributions. The self-managed plan shall be funded by  
6 contributions from teachers participating in the self-managed  
7 plan and employer contributions as provided in this Section.

8 The contribution rate for teachers participating in the  
9 self-managed plan shall be equal to the teacher contribution  
10 rate for other participants in the System, as provided in  
11 Section 16-152. This required contribution shall be made as an  
12 "employer pick-up" under Section 414(h) of the Internal Revenue  
13 Code of 1986 or any successor Section thereof. Any teacher  
14 participating in the System's traditional benefit package  
15 prior to his or her election to participate in the self-managed  
16 plan shall continue to have the employer pick up the  
17 contributions required under Section 16-152. However, the  
18 amounts picked up after the election of the self-managed plan  
19 shall be remitted to and treated as assets of the self-managed  
20 plan. In no event shall a teacher have an option of receiving  
21 these amounts in cash. A teacher may make additional  
22 contributions to the self-managed plan in accordance with  
23 procedures prescribed by the System, to the extent permitted  
24 under rules prescribed by the System.

25 The program shall provide for employer contributions to be  
26 credited to each self-managed plan participant at a rate of

1 7.6% of the participating teacher's salary, less the amount  
2 used by the System to provide disability benefits for the  
3 teacher. The amounts so credited shall be paid into the  
4 participant's self-managed plan accounts in a manner to be  
5 prescribed by the System.

6 An amount of employer contribution, not exceeding 1% of the  
7 participating teacher's salary, shall be used for the purpose  
8 of providing the disability benefits of the System to the  
9 teacher. Prior to the beginning of each plan year under the  
10 self-managed plan, the Board of Trustees shall determine, as a  
11 percentage of salary, the amount of employer contributions to  
12 be allocated during that plan year for providing disability  
13 benefits for teachers in the self-managed plan.

14 The State of Illinois shall make contributions by  
15 appropriations to the System of the employer contributions  
16 required for teachers who participate in the self-managed plan  
17 under this Section. The amount required shall be certified by  
18 the Board of Trustees of the System and paid by the State in  
19 accordance with Section 16-158. The System shall not be  
20 obligated to remit the required employer contributions to any  
21 of the insurance and annuity companies, mutual fund companies,  
22 banks, trust companies, financial institutions, or other  
23 sponsors of any of the funding vehicles offered under the  
24 self-managed plan until it has received the required employer  
25 contributions from the State. In the event of a deficiency in  
26 the amount of State contributions, the System shall implement

1 those procedures described in subsection (b-1) of Section  
2 16-158 to obtain the required funding from the Common School  
3 Fund.

4 (i) Vesting; Withdrawal; Return to Service. A participant  
5 in the self-managed plan becomes vested in the employer  
6 contributions credited to his or her accounts in the  
7 self-managed plan on the earliest to occur of the following:  
8 (1) completion of 5 years of service; (2) the death of the  
9 teacher while employed as a teacher, if the participant has  
10 completed at least 1 1/2 years of service; or (3) the  
11 participant's election to retire and apply the reciprocal  
12 provisions of Article 20 of this Code.

13 A participant in the self-managed plan who receives a  
14 distribution of his or her vested amounts from the self-managed  
15 plan while not yet eligible for retirement under this Article  
16 (and Article 20, if applicable) shall forfeit all service  
17 credit and accrued rights in the System; if subsequently  
18 re-employed, the participant shall be considered a new teacher.  
19 If a former participant again becomes a participating teacher  
20 (or becomes employed by a participating system under Article 20  
21 of this Code) and continues as such for at least 2 years, all  
22 such rights, service credits, and previous status as a  
23 participant shall be restored upon repayment of the amount of  
24 the distribution, without interest.

25 (k) Benefit amounts. If a teacher who is vested in employer  
26 contributions terminates employment, the teacher shall be

1 entitled to a benefit that is based on the account values  
2 attributable to both employer and teacher contributions and any  
3 investment return thereon.

4 If a teacher who is not vested in employer contributions  
5 terminates employment, the teacher shall be entitled to a  
6 benefit based solely on the account values attributable to the  
7 teacher's contributions and any investment return thereon, and  
8 the employer contributions and any investment return thereon  
9 shall be forfeited. Any employer contributions that are  
10 forfeited shall be held in escrow by the company investing  
11 those contributions and shall be used as directed by the System  
12 for future allocations of employer contributions or for the  
13 restoration of amounts previously forfeited by former  
14 participants who again become participating teachers.

15 (40 ILCS 5/16-203)

16 Sec. 16-203. Application and expiration of new benefit  
17 increases.

18 (a) As used in this Section, "new benefit increase" means  
19 an increase in the amount of any benefit provided under this  
20 Article, or an expansion of the conditions of eligibility for  
21 any benefit under this Article, that results from an amendment  
22 to this Code that takes effect after June 1, 2005 (the  
23 effective date of Public Act 94-4). "New benefit increase",  
24 however, does not include any benefit increase resulting from  
25 the changes made to this Article by Public Act 95-910, by

1 Public Act 98-599, or by this amendatory Act of the 99th ~~98th~~  
2 General Assembly.

3 (b) Notwithstanding any other provision of this Code or any  
4 subsequent amendment to this Code, every new benefit increase  
5 is subject to this Section and shall be deemed to be granted  
6 only in conformance with and contingent upon compliance with  
7 the provisions of this Section.

8 (c) The Public Act enacting a new benefit increase must  
9 identify and provide for payment to the System of additional  
10 funding at least sufficient to fund the resulting annual  
11 increase in cost to the System as it accrues.

12 Every new benefit increase is contingent upon the General  
13 Assembly providing the additional funding required under this  
14 subsection. The Commission on Government Forecasting and  
15 Accountability shall analyze whether adequate additional  
16 funding has been provided for the new benefit increase and  
17 shall report its analysis to the Public Pension Division of the  
18 Department of Insurance. A new benefit increase created by a  
19 Public Act that does not include the additional funding  
20 required under this subsection is null and void. If the Public  
21 Pension Division determines that the additional funding  
22 provided for a new benefit increase under this subsection is or  
23 has become inadequate, it may so certify to the Governor and  
24 the State Comptroller and, in the absence of corrective action  
25 by the General Assembly, the new benefit increase shall expire  
26 at the end of the fiscal year in which the certification is

1 made.

2 (d) Every new benefit increase shall expire 5 years after  
3 its effective date or on such earlier date as may be specified  
4 in the language enacting the new benefit increase or provided  
5 under subsection (c). This does not prevent the General  
6 Assembly from extending or re-creating a new benefit increase  
7 by law.

8 (e) Except as otherwise provided in the language creating  
9 the new benefit increase, a new benefit increase that expires  
10 under this Section continues to apply to persons who applied  
11 and qualified for the affected benefit while the new benefit  
12 increase was in effect and to the affected beneficiaries and  
13 alternate payees of such persons, but does not apply to any  
14 other person, including without limitation a person who  
15 continues in service after the expiration date and did not  
16 apply and qualify for the affected benefit while the new  
17 benefit increase was in effect.

18 (Source: P.A. 98-599, eff. 6-1-14.)

19 (40 ILCS 5/20-121) (from Ch. 108 1/2, par. 20-121)

20 Sec. 20-121. Calculation of proportional retirement  
21 annuities.

22 (a) Upon retirement of the employee, a proportional  
23 retirement annuity shall be computed by each participating  
24 system in which pension credit has been established on the  
25 basis of pension credits under each system. The computation

1 shall be in accordance with the formula or method prescribed by  
2 each participating system which is in effect at the date of the  
3 employee's latest withdrawal from service covered by any of the  
4 systems in which he has pension credits which he elects to have  
5 considered under this Article. However, the amount of any  
6 retirement annuity payable under the self-managed plan  
7 established under Section 15-158.2 or 16-153.7 of this Code or  
8 under the defined contribution plan established under Article  
9 2, 14, 15, or 16 of this Code depends solely on the value of the  
10 participant's vested account balances and is not subject to any  
11 proportional adjustment under this Section.

12 (a-5) For persons who participate in a defined contribution  
13 plan established under Article 2, 14, 15, or 16 of this Code to  
14 whom the provisions of this Article apply, the pension credits  
15 established under the defined contribution plan may be  
16 considered in determining eligibility for or the amount of the  
17 defined benefit retirement annuity that is payable by any other  
18 participating system.

19 (b) Combined pension credit under all retirement systems  
20 subject to this Article shall be considered in determining  
21 whether the minimum qualification has been met and the formula  
22 or method of computation which shall be applied, except as may  
23 be otherwise provided with respect to vesting in State or  
24 employer contributions in a defined contribution plan. If a  
25 system has a step-rate formula for calculation of the  
26 retirement annuity, pension credits covering previous service

1 which have been established under another system shall be  
2 considered in determining which range or ranges of the  
3 step-rate formula are to be applicable to the employee.

4 (c) Interest on pension credit shall continue to accumulate  
5 in accordance with the provisions of the law governing the  
6 retirement system in which the same has been established during  
7 the time an employee is in the service of another employer, on  
8 the assumption such employee, for interest purposes for pension  
9 credit, is continuing in the service covered by such retirement  
10 system.

11 (Source: P.A. 98-599, eff. 6-1-14.)

12 (40 ILCS 5/20-123) (from Ch. 108 1/2, par. 20-123)

13 Sec. 20-123. Survivor's annuity. The provisions governing  
14 a retirement annuity shall be applicable to a survivor's  
15 annuity. Appropriate credits shall be established for  
16 survivor's annuity purposes in those participating systems  
17 which provide survivor's annuities, according to the same  
18 conditions and subject to the same limitations and restrictions  
19 herein prescribed for a retirement annuity. If a participating  
20 system has no survivor's annuity benefit, or if the survivor's  
21 annuity benefit under that system is waived, pension credit  
22 established in that system shall not be considered in  
23 determining eligibility for or the amount of the survivor's  
24 annuity which may be payable by any other participating system.

25 For persons who participate in the self-managed plan



1 established under Section 15-158.2 or the portable benefit  
2 package established under Section 15-136.4, pension credit  
3 established under Article 15 may be considered in determining  
4 eligibility for or the amount of the survivor's annuity that is  
5 payable by any other participating system, but pension credit  
6 established in any other system shall not result in any right  
7 to a survivor's annuity under the Article 15 system.

8 For persons who participate in the self-managed plan  
9 established under Section 16-153.7, pension credit established  
10 under Article 16 may be considered in determining eligibility  
11 for or the amount of the survivor's annuity that is payable by  
12 any other participating system, but pension credit established  
13 in any other system shall not result in any right to a  
14 survivor's annuity under the Article 16 system.

15 For persons who participate in a defined contribution plan  
16 established under Article 2, 14, 15, or 16 of this Code to whom  
17 the provisions of this Article apply, the pension credits  
18 established under the defined contribution plan may be  
19 considered in determining eligibility for or the amount of the  
20 defined benefit survivor's annuity that is payable by any other  
21 participating system, but pension credits established in any  
22 other system shall not result in any right to or increase in  
23 the value of a survivor's annuity under the defined  
24 contribution plan, which depends solely on the options chosen  
25 and the value of the participant's vested account balances and  
26 is not subject to any proportional adjustment under this

1 Section.

2 (Source: P.A. 98-599, eff. 6-1-14.)

3 (40 ILCS 5/20-124) (from Ch. 108 1/2, par. 20-124)

4 Sec. 20-124. Maximum benefits.

5 (a) In no event shall the combined retirement or survivors  
6 annuities exceed the highest annuity which would have been  
7 payable by any participating system in which the employee has  
8 pension credits, if all of his pension credits had been  
9 validated in that system.

10 If the combined annuities should exceed the highest maximum  
11 as determined in accordance with this Section, the respective  
12 annuities shall be reduced proportionately according to the  
13 ratio which the amount of each proportional annuity bears to  
14 the aggregate of all such annuities.

15 (b) In the case of a participant in the self-managed plan  
16 established under Section 15-158.2 of this Code to whom the  
17 provisions of this Article apply:

18 (i) For purposes of calculating the combined  
19 retirement annuity and the proportionate reduction, if  
20 any, in a retirement annuity other than one payable under  
21 the self-managed plan, the amount of the Article 15  
22 retirement annuity shall be deemed to be the highest  
23 annuity to which the annuitant would have been entitled if  
24 he or she had participated in the traditional benefit  
25 package as defined in Section 15-103.1 rather than the

1 self-managed plan.

2 (ii) For purposes of calculating the combined  
3 survivor's annuity and the proportionate reduction, if  
4 any, in a survivor's annuity other than one payable under  
5 the self-managed plan, the amount of the Article 15  
6 survivor's annuity shall be deemed to be the highest  
7 survivor's annuity to which the survivor would have been  
8 entitled if the deceased employee had participated in the  
9 traditional benefit package as defined in Section 15-103.1  
10 rather than the self-managed plan.

11 (iii) Benefits payable under the self-managed plan are  
12 not subject to proportionate reduction under this Section.

13 (c) In the case of a participant in a defined contribution  
14 plan established under Article 2, 14, 15, or 16 of this Code to  
15 whom the provisions of this Article apply:

16 (i) For purposes of calculating the combined  
17 retirement annuity and the proportionate reduction, if  
18 any, in a defined benefit retirement annuity, any benefit  
19 payable under the defined contribution plan shall not be  
20 considered.

21 (ii) For purposes of calculating the combined  
22 survivor's annuity and the proportionate reduction, if  
23 any, in a defined benefit survivor's annuity, any benefit  
24 payable under the defined contribution plan shall not be  
25 considered.

26 (iii) Benefits payable under a defined contribution

1 plan established under Article 2, 14, 15, or 16 of this  
2 Code are not subject to proportionate reduction under this  
3 Section.

4 (d) In the case of a participant in the self-managed plan  
5 established under Section 16-153.7 of this Code to whom the  
6 provisions of this Article apply:

7 (i) For purposes of calculating the combined  
8 retirement annuity and the proportionate reduction, if  
9 any, in a retirement annuity other than one payable under a  
10 self-managed plan, the amount of the Article 16 retirement  
11 annuity shall be deemed to be the highest annuity to which  
12 the annuitant would have been entitled if he or she had  
13 participated in the traditional benefit package instead of  
14 in the self-managed plan.

15 (ii) For purposes of calculating the combined  
16 survivor's annuity and the proportionate reduction, if  
17 any, in a survivor's annuity other than one payable under a  
18 self-managed plan, the amount of the Article 16 survivor's  
19 annuity shall be deemed to be the highest survivor's  
20 annuity to which the survivor would have been entitled if  
21 the deceased person had participated in the traditional  
22 benefit package instead of in the self-managed plan.

23 (iii) Benefits payable under the self-managed plan are  
24 not subject to proportionate reduction under this Section.

25 (Source: P.A. 98-599, eff. 6-1-14.)

1 (40 ILCS 5/20-125) (from Ch. 108 1/2, par. 20-125)

2 Sec. 20-125. Return to employment - suspension of benefits.

3 If a retired employee returns to employment which is covered by  
4 a system from which he is receiving a proportional annuity  
5 under this Article, his proportional annuity from all  
6 participating systems shall be suspended during the period of  
7 re-employment, except that this suspension does not apply to  
8 any distributions payable under the self-managed plan  
9 established under Section 15-158.2 or 16-153.7 or under a  
10 defined contribution plan established under Article 2, 14, 15,  
11 or 16 of this Code.

12 The provisions of the Article under which such employment  
13 would be covered shall govern the determination of whether the  
14 employee has returned to employment, and if applicable the  
15 exemption of temporary employment or employment not exceeding a  
16 specified duration or frequency, for all participating systems  
17 from which the retired employee is receiving a proportional  
18 annuity under this Article, notwithstanding any contrary  
19 provisions in the other Articles governing such systems.

20 (Source: P.A. 98-599, eff. 6-1-14.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.