



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2429

Introduced 2/17/2015, by Rep. Dwight Kay

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.866 new  
30 ILCS 105/5.867 new  
40 ILCS 5/2-100 new  
40 ILCS 5/2-167 new  
40 ILCS 5/18-100 new  
40 ILCS 5/18-171 new

Amends the General Assembly and Judges Articles of the Pension Code. Provides that no participant may accrue service credit and no benefits may be paid to any retiree or survivor. Provides that the Court of Claims shall direct the refund of participant pension contributions. Repeals the General Assembly and Judges Articles 2 years after the effective date of the amendatory Act. Effective immediately.

LRB099 03803 SXM 23816 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 State Finance Act is amended by adding  
5 Sections 5.866 and 5.867 as follows:

6 (30 ILCS 105/5.866 new)

7 Sec. 5.866. The Article 2 Pension Contribution Refund Fund.

8 (30 ILCS 105/5.867 new)

9 Sec. 5.867. The Article 18 Pension Contribution Refund  
10 Fund.

11 Section 10. The Illinois Pension Code is amended by adding  
12 Sections 2-100, 2-167, 18-100, and 18-171 as follows:

13 (40 ILCS 5/2-100 new)

14 Sec. 2-100. Termination of benefits; refund of  
15 contributions. Notwithstanding any provision of law to the  
16 contrary:

17 (a) Except as otherwise provided in this Section, on  
18 and after the effective date of this amendatory Act of the  
19 99th General Assembly, no participant shall accrue service  
20 credit under this Article and no participant or survivor of

1 a participant shall receive any benefit under this Article,  
2 including, but not limited to, a retirement, reversionary,  
3 or survivor's annuity.

4 (b) On the effective date of this amendatory Act of the  
5 99th General Assembly, all funds held by or on behalf of  
6 the System are transferred to a special fund in the State  
7 treasury, which shall be known as the Article 2 Pension  
8 Contribution Refund Fund. Distributions from the Article 2  
9 Pension Contribution Refund Fund shall be made at the  
10 direction of the Court of Claims or as provided in  
11 subsection (d) of this Section.

12 (c) For the period prior to one year after the  
13 effective date of this amendatory Act of the 99th General  
14 Assembly, any participant, annuitant, refund beneficiary,  
15 or other beneficiary may apply to the Court of Claims to  
16 receive the refund of the contributions actually made by  
17 the participant or annuitant that have not already been  
18 paid in the form of benefits. No refunds shall be made for  
19 contributions made by the State, whether in the form of  
20 participant contributions or otherwise. The Court of  
21 Claims shall have the authority to order distributions from  
22 the Article 2 Pension Contribution Refund Fund to make such  
23 refunds, and no other funds may be used for that purpose.

24 (d) As soon as all orders for payment entered by the  
25 Court of Claims under subsection (c) of this Section have  
26 been complied with, any funds remaining in the Article 2

1       Pension Contribution Refund Fund shall be paid into the  
2       General Revenue Fund.

3           (40 ILCS 5/2-167 new)

4       Sec. 2-167. Repealer. This Article 2 is repealed 2 years  
5       after the effective date of this amendatory Act of the 99th  
6       General Assembly.

7           (40 ILCS 5/18-100 new)

8       Sec. 18-100. Termination of benefits; refund of  
9       contributions. Notwithstanding any provision of law to the  
10       contrary:

11           (a) Except as otherwise provided in this Section, on  
12           and after the effective date of this amendatory Act of the  
13           99th General Assembly, no participant shall accrue service  
14           credit under this Article and no participant or survivor of  
15           a participant shall receive any benefit under this Article,  
16           including, but not limited to, a retirement, reversionary,  
17           or survivor's annuity.

18           (b) On the effective date of this amendatory Act of the  
19           99th General Assembly, all funds held by or on behalf of  
20           the System are transferred to a special fund in the State  
21           treasury, which shall be known as the Article 18 Pension  
22           Contribution Refund Fund. Distributions from the Article  
23           18 Pension Contribution Refund Fund shall be made at the  
24           direction of the Court of Claims or as provided in

1 subsection (d) of this Section.

2 (c) For the period prior to one year after the  
3 effective date of this amendatory Act of the 99th General  
4 Assembly, any participant, annuitant, refund beneficiary,  
5 or other beneficiary may apply to the Court of Claims to  
6 receive the refund of the contributions actually made by  
7 the participant or annuitant that have not already been  
8 paid in the form of benefits. No refunds shall be made for  
9 contributions made by the State, whether in the form of  
10 participant contributions or otherwise. The Court of  
11 Claims shall have the authority to order distributions from  
12 the Article 18 Pension Contribution Refund Fund to make  
13 such refunds, and no other funds may be used for that  
14 purpose.

15 (d) As soon as all orders for payment entered by the  
16 Court of Claims under subsection (c) of this Section have  
17 been complied with, any funds remaining in the Article 18  
18 Pension Contribution Refund Fund shall be paid into the  
19 General Revenue Fund.

20 (40 ILCS 5/18-171 new)

21 Sec. 18-171. Repealer. This Article 18 is repealed 2 years  
22 after the effective date of this amendatory Act of the 99th  
23 General Assembly.

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