



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2836

by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

15 ILCS 505/35 new
30 ILCS 105/8.12

from Ch. 127, par. 144.12

Amends the State Treasurer Act. Provides that, subject to the provisions of the Public Contract Fraud Act, the State Treasurer is authorized during fiscal years 2019 and 2020 to purchase real property located in the City of Springfield, Illinois which the State Treasurer deems necessary to properly carry out the powers and duties vested in him or her. Provides that, subject to provisions of the Treasurer's Procurement Rules, the State Treasurer may enter into contracts relating to construction, reconstruction, or renovation projects for any such buildings or lands acquired under this Act, and the State Treasurer may equip, lease, operate, and maintain those grounds, buildings, and facilities as may be appropriate to carry out the State Treasurer's statutory purposes and duties. Provides that the State Treasurer may enter into agreements with any person with respect to the use and occupancy of the grounds, buildings, and facilities of the State Treasurer, including concession, license, and lease agreements on terms and conditions as the State Treasurer determines and in accordance with the procurement processes for the Office of the State Treasurer, which shall be substantially in accordance with the requirements of Illinois Procurement Code. Provides that exercise of the authority vested by this Act is subject to the appropriation of the necessary funds. Amends the State Finance Act. Expands the use of moneys in the State Pension Fund to include the acquisition of land and buildings in State fiscal year 2019 and 2020 for use by the Office of the State Treasurer, as well as construction, reconstruction, improvement, repair, and maintenance, in accordance with the provisions of laws relating thereto, of such lands and buildings beginning in State fiscal year 2019 and thereafter. Effective immediately.

LRB101 08077 JRG 53140 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Treasurer Act is amended by adding
5 Section 35 as follows:

6 (15 ILCS 505/35 new)

7 Sec. 35. State Treasurer may purchase real property.

8 (a) Subject to the provisions of the Public Contract Fraud
9 Act the State Treasurer, on behalf of the State of Illinois, is
10 authorized during State fiscal years 2019 and 2020 to purchase
11 real property located in the City of Springfield, Illinois
12 which the State Treasurer deems necessary to properly carry out
13 the powers and duties vested in him or her. To the extent any
14 such real property is gifted to the State Treasurer, on behalf
15 of the State of Illinois, or acquired thereby for a nominal
16 amount, the real property may be acquired subject to the
17 grantor's non-transferable right to retain possession of no
18 more than half of the real property for a period not to exceed
19 4 years. Real property acquired under this Section may be
20 acquired subject to any existing and related ground leases.

21 (b) Subject to the provisions of the Treasurer's
22 Procurement Rules, which shall be substantially in accordance
23 with the requirements of Illinois Procurement Code, the State

1 Treasurer may:

2 (1) enter into contracts relating to construction,
3 reconstruction or renovation projects for any such
4 buildings or lands acquired pursuant to paragraph (a); and

5 (2) equip, lease, operate and maintain those grounds,
6 buildings and facilities as may be appropriate to carry out
7 his or her statutory purposes and duties.

8 (c) The State Treasurer may enter into agreements with any
9 person with respect to the use and occupancy of the grounds,
10 buildings, and facilities of the State Treasurer, including
11 concession, license, and lease agreements on terms and
12 conditions as the State Treasurer determines and in accordance
13 with the procurement processes for the Office of the State
14 Treasurer, which shall be substantially in accordance with the
15 requirements of Illinois Procurement Code. This subsection
16 shall not apply to a leaseback of property to the seller of any
17 real estate acquired under this Section, provided that
18 leaseback does not exceed 2 years.

19 (d) The exercise of the authority vested in the Treasurer
20 by this Section is subject to the appropriation of the
21 necessary funds.

22 Section 10. The State Finance Act is amended by changing
23 Section 8.12 as follows:

24 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

1 Sec. 8.12. State Pensions Fund.

2 (a) The moneys in the State Pensions Fund shall be used
3 exclusively for the administration of the Revised Uniform
4 Unclaimed Property Act and for the expenses incurred by the
5 Auditor General for administering the provisions of Section
6 2-8.1 of the Illinois State Auditing Act and for operational
7 expenses of the Office of the State Treasurer and for the
8 funding of the unfunded liabilities of the designated
9 retirement systems. For the purposes of this Section,
10 "operational expenses of the Office of the State Treasurer"
11 includes the acquisition of land and buildings in State fiscal
12 year 2019 and 2020 for use by the Office of the State
13 Treasurer, as well as construction, reconstruction,
14 improvement, repair, and maintenance, in accordance with the
15 provisions of laws relating thereto, of such lands and
16 buildings beginning in State fiscal year 2019 and thereafter.
17 Beginning in State fiscal year 2020, payments to the designated
18 retirement systems under this Section shall be in addition to,
19 and not in lieu of, any State contributions required under the
20 Illinois Pension Code.

21 "Designated retirement systems" means:

22 (1) the State Employees' Retirement System of
23 Illinois;

24 (2) the Teachers' Retirement System of the State of
25 Illinois;

26 (3) the State Universities Retirement System;

1 (4) the Judges Retirement System of Illinois; and

2 (5) the General Assembly Retirement System.

3 (b) Each year the General Assembly may make appropriations
4 from the State Pensions Fund for the administration of the
5 Revised Uniform Unclaimed Property Act.

6 (c) As soon as possible after July 30, 2004 (the effective
7 date of Public Act 93-839), the General Assembly shall
8 appropriate from the State Pensions Fund (1) to the State
9 Universities Retirement System the amount certified under
10 Section 15-165 during the prior year, (2) to the Judges
11 Retirement System of Illinois the amount certified under
12 Section 18-140 during the prior year, and (3) to the General
13 Assembly Retirement System the amount certified under Section
14 2-134 during the prior year as part of the required State
15 contributions to each of those designated retirement systems;
16 except that amounts appropriated under this subsection (c) in
17 State fiscal year 2005 shall not reduce the amount in the State
18 Pensions Fund below \$5,000,000. If the amount in the State
19 Pensions Fund does not exceed the sum of the amounts certified
20 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
21 the amount paid to each designated retirement system under this
22 subsection shall be reduced in proportion to the amount
23 certified by each of those designated retirement systems.

24 (c-5) For fiscal years 2006 through 2019, the General
25 Assembly shall appropriate from the State Pensions Fund to the
26 State Universities Retirement System the amount estimated to be

1 available during the fiscal year in the State Pensions Fund;
2 provided, however, that the amounts appropriated under this
3 subsection (c-5) shall not reduce the amount in the State
4 Pensions Fund below \$5,000,000.

5 (c-6) For fiscal year 2020 and each fiscal year thereafter,
6 as soon as may be practical after any money is deposited into
7 the State Pensions Fund from the Unclaimed Property Trust Fund,
8 the State Treasurer shall apportion the deposited amount among
9 the designated retirement systems as defined in subsection (a)
10 to reduce their actuarial reserve deficiencies. The State
11 Comptroller and State Treasurer shall pay the apportioned
12 amounts to the designated retirement systems to fund the
13 unfunded liabilities of the designated retirement systems. The
14 amount apportioned to each designated retirement system shall
15 constitute a portion of the amount estimated to be available
16 for appropriation from the State Pensions Fund that is the same
17 as that retirement system's portion of the total actual reserve
18 deficiency of the systems, as determined annually by the
19 Governor's Office of Management and Budget at the request of
20 the State Treasurer. The amounts apportioned under this
21 subsection shall not reduce the amount in the State Pensions
22 Fund below \$5,000,000.

23 (d) The Governor's Office of Management and Budget shall
24 determine the individual and total reserve deficiencies of the
25 designated retirement systems. For this purpose, the
26 Governor's Office of Management and Budget shall utilize the

1 latest available audit and actuarial reports of each of the
2 retirement systems and the relevant reports and statistics of
3 the Public Employee Pension Fund Division of the Department of
4 Insurance.

5 (d-1) As soon as practicable after March 5, 2004 (the
6 effective date of Public Act 93-665), the Comptroller shall
7 direct and the Treasurer shall transfer from the State Pensions
8 Fund to the General Revenue Fund, as funds become available, a
9 sum equal to the amounts that would have been paid from the
10 State Pensions Fund to the Teachers' Retirement System of the
11 State of Illinois, the State Universities Retirement System,
12 the Judges Retirement System of Illinois, the General Assembly
13 Retirement System, and the State Employees' Retirement System
14 of Illinois after March 5, 2004 (the effective date of Public
15 Act 93-665) during the remainder of fiscal year 2004 to the
16 designated retirement systems from the appropriations provided
17 for in this Section if the transfers provided in Section 6z-61
18 had not occurred. The transfers described in this subsection
19 (d-1) are to partially repay the General Revenue Fund for the
20 costs associated with the bonds used to fund the moneys
21 transferred to the designated retirement systems under Section
22 6z-61.

23 (e) The changes to this Section made by Public Act 88-593
24 shall first apply to distributions from the Fund for State
25 fiscal year 1996.

26 (Source: P.A. 99-8, eff. 7-9-15; 99-78, eff. 7-20-15; 99-523,

1 eff. 6-30-16; 100-22, eff. 1-1-18; 100-23, eff. 7-6-17;
2 100-587, eff. 6-4-18; 100-863, eff. 8-14-18.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.