



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3475

by Rep. Daniel Didech

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/2-105	from Ch. 108 1/2, par. 2-105
40 ILCS 5/2-107	from Ch. 108 1/2, par. 2-107
40 ILCS 5/2-122.5 new	

Amends the General Assembly Article of the Illinois Pension Code. Prohibits participation in the System by a person who (i) has ever received a retirement annuity or retirement pension from any other retirement system or pension fund under the Code and (ii) did not become a participant before the effective date of the amendatory Act. Provides that for a member who did not become a participant before the effective date of the amendatory Act, participation under the Article shall be suspended during any period when the member (1) serves as an elected official (other than as a member of the General Assembly or as Governor, Lieutenant Governor, Secretary of State, Treasurer, Comptroller, or Attorney General) and (2) receives a salary or other compensation, except for reimbursement for expenses incurred in performing his or her duties, relating to that service. Effective immediately.

LRB101 07580 RPS 52627 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 changing  
5 Sections 2-105 and 2-107 and by adding Section 2-122.5 as  
6 follows:

7 (40 ILCS 5/2-105) (from Ch. 108 1/2, par. 2-105)

8 Sec. 2-105. Member. "Member": Members of the General  
9 Assembly of this State including persons who enter military  
10 service while a member of the General Assembly and any person  
11 serving as Governor, Lieutenant Governor, Secretary of State,  
12 Treasurer, Comptroller, or Attorney General for the period of  
13 service in such office.

14 Any person who has served for 10 or more years as Clerk or  
15 Assistant Clerk of the House of Representatives, Secretary or  
16 Assistant Secretary of the Senate, or any combination thereof,  
17 may elect to become a member of this system while thenceforth  
18 engaged in such service by filing a written election with the  
19 board. Any person so electing shall be deemed an active member  
20 of the General Assembly for the purpose of validating and  
21 transferring any service credits earned under any of the funds  
22 and systems established under Articles 3 through 18 of this  
23 Code.

1       However, notwithstanding any other provision of this  
2 Article, a person shall not be deemed a member for the purposes  
3 of this Article if he or she (i) has ever received a retirement  
4 annuity or retirement pension from any other pension fund or  
5 retirement system under this Code and (ii) did not become a  
6 participant before the effective date of this amendatory Act of  
7 the 101st General Assembly.

8       (Source: P.A. 85-1008.)

9           (40 ILCS 5/2-107) (from Ch. 108 1/2, par. 2-107)

10       Sec. 2-107. Participant. "Participant": Any member who  
11 elects to participate; and any former member who elects to  
12 continue participation under Section 2-117.1, for the duration  
13 of such continued participation.

14       However, notwithstanding any other provision of this  
15 Article, a person shall not be deemed a participant for the  
16 purposes of this Article if he or she (i) has ever received a  
17 retirement annuity or retirement pension from any other pension  
18 fund or retirement system under this Code and (ii) did not  
19 become a participant before the effective date of this  
20 amendatory Act of the 101st General Assembly.

21       (Source: P.A. 86-1488.)

22           (40 ILCS 5/2-122.5 new)

23       Sec. 2-122.5. Suspension of participation. For a member who  
24 did not become a participant before the effective date of this

1 amendatory Act of the 101st General Assembly, participation  
2 under this Article shall be suspended during any period when  
3 the member (1) serves as an elected official (other than as a  
4 member of the General Assembly or as Governor, Lieutenant  
5 Governor, Secretary of State, Treasurer, Comptroller, or  
6 Attorney General) and (2) receives a salary or other  
7 compensation, except for reimbursement for expenses incurred  
8 in performing his or her duties, relating to that service.

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