



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4469**

Introduced 2/3/2020, by Rep. Allen Skillicorn

#### SYNOPSIS AS INTRODUCED:

50 ILCS 145/2  
50 ILCS 145/3  
50 ILCS 145/25

Amends the Local Government Officer Compensation Act. Makes the Act applicable to both elected and appointed officers (rather than only elected officers) of school districts and units of local government. Limits home rule powers.

LRB101 16439 AWJ 65818 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

1 AN ACT concerning local government.

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

4 Section 5. The Local Government Officer Compensation Act is  
5 amended by changing Sections 2, 3, and 25 as follows:

6 (50 ILCS 145/2)

7 Sec. 2. Time of fixing compensation. Notwithstanding any  
8 other law to the contrary, the compensation of elected or  
9 appointed officers of school districts and units of local  
10 government, including home rule units, which compensation is to  
11 be fixed by that school district or unit of local government,  
12 shall be fixed at least 180 days before the beginning of the  
13 terms of the officers whose compensation is to be fixed.

14 (Source: P.A. 89-405, eff. 11-8-95.)

15 (50 ILCS 145/3)

16 Sec. 3. Preemption. A home rule unit may not fix the  
17 compensation of elected or appointed officers of that unit of  
18 local government in a manner inconsistent with this Act. This  
19 Act is a limitation under subsection (i) of Section 6 of  
20 Article VII of the Illinois Constitution on the concurrent  
21 exercise by home rule units of powers and functions exercised  
22 by the State.

1 (Source: P.A. 89-405, eff. 11-8-95.)

2 (50 ILCS 145/25)

3 Sec. 25. Elected or appointed official salary.

4 (a) Notwithstanding the provision of any other law to the  
5 contrary, an elected or appointed officer of a unit of local  
6 government that is a participating employer under the Illinois  
7 Municipal Retirement Fund shall not receive any salary or other  
8 compensation from the unit of local government if the member is  
9 receiving pension benefits from the Illinois Municipal  
10 Retirement Fund under Article 7 of the Illinois Pension Code  
11 for the elected or appointed official's service in that same  
12 elected or appointed position. If an elected or appointed  
13 officer is receiving benefits from the Illinois Municipal  
14 Retirement Fund on August 23, 2019 (the effective date of  
15 Public Act 101-544), the elected or appointed official's salary  
16 and compensation shall be reduced to zero at the beginning of  
17 the member's next term if the member is still receiving such  
18 pension benefits.

19 (b) This Section does not apply to a unit of local  
20 government that has adopted an ordinance or resolution  
21 effective prior to January 1, 2019 that: (i) reduces the  
22 compensation of an elected or appointed official of the unit of  
23 local government who is receiving pension benefits from the  
24 Illinois Municipal Retirement Fund under Article 7 of the  
25 Illinois Pension Code for his or her service as an elected or

1 appointed official in the same elected or appointed position of  
2 that unit of local government; and (ii) changes the official's  
3 position to part-time.

4 (Source: P.A. 101-544, eff. 8-23-19; 101-610, eff. 1-1-20.)