



Sen. Robert F. Martwick

Filed: 3/24/2023

10300SB1646sam002

LRB103 27811 RPS 60016 a

1 AMENDMENT TO SENATE BILL 1646

2 AMENDMENT NO. _____. Amend Senate Bill 1646, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Article 1.

6 Section 1-5. The Illinois Pension Code is amended by
7 changing Section 11-196 and by adding Section 12-162.5 as
8 follows:

9 (40 ILCS 5/11-196) (from Ch. 108 1/2, par. 11-196)

10 Sec. 11-196. To subpoena witnesses and compel the
11 production of records. To issue subpoenas to compel the
12 attendance of witnesses to testify before it and to compel the
13 production of documents and records upon any matter concerning
14 the Fund, including, but not limited to, in conjunction with:
15 ~~fund and allow witness fees not in excess of \$6 per day.~~

1 (1) a disability claim;

2 (2) an administrative review proceeding;

3 (3) an attempt to obtain information to assist in the
4 collection of sums due to the Fund;

5 (4) obtaining any and all personal identifying
6 information necessary for the administration of benefits;

7 (5) the determination of the death of a benefit
8 recipient or a potential benefit recipient; or

9 (6) a felony forfeiture investigation.

10 The fees of witnesses for attendance and travel shall be
11 the same as the fees of witnesses before the circuit courts of
12 this State and shall be paid by the party seeking the subpoena.
13 The Board may apply to any circuit court in the State for an
14 order requiring compliance with a subpoena issued under this
15 Section. Subpoenas issued under this Section shall be subject
16 to applicable provisions of the Code of Civil Procedure. The
17 president or other members of the board may administer oaths
18 to witnesses.

19 (Source: Laws 1963, p. 161.)

20 (40 ILCS 5/12-162.5 new)

21 Sec. 12-162.5. To subpoena witnesses and compel the
22 production of records. To issue subpoenas to compel the
23 attendance of witnesses to testify before it and to compel the
24 production of documents and records upon any matter concerning
25 the Fund, including, but not limited to, in conjunction with:

1 Sec. 15-202. Optional deferred compensation plan.

2 (a) As soon as practicable after August 10, 2018 (the
3 effective date of Public Act 100-769), the System shall offer
4 a deferred compensation plan that is eligible under Section
5 457(b) of the Internal Revenue Code of 1986, as amended, to
6 participating employees of the System employed by employers
7 described in Section 15-106 of this Code that qualify as
8 eligible employers under Section 457(e)(1)(A) of the Internal
9 Revenue Code of 1986, as amended. Such eligible employers
10 shall adopt the plan with an effective date no later than
11 September 1, 2021. Participating employees may voluntarily
12 elect to make elective deferrals to the eligible deferred
13 compensation plan. Eligible employers may make optional
14 employer contributions to the plan on behalf of participating
15 employees, which contributions may be maintained, increased,
16 reduced, or eliminated at the discretion of the employer from
17 plan year to plan year. The plan shall collect voluntary
18 employee and optional employer contributions into an account
19 for each participant and shall offer investment options to the
20 participant. The plan under this Section shall be operated in
21 full compliance with any applicable State and federal laws,
22 and the System shall utilize generally accepted practices in
23 creating and maintaining the plan for the best interest of the
24 participants. In administering the deferred compensation plan,
25 the System shall require that the deferred compensation plan
26 recordkeeper agree that, in performing services with respect

1 to the deferred compensation plan, the recordkeeper: (i) will
2 not use information received as a result of providing services
3 with respect to the deferred compensation plan or the
4 participants in the deferred compensation plan to solicit the
5 participants in the deferred compensation plan for the purpose
6 of cross-selling nonplan products and services, unless in
7 response to a request by a participant in the deferred
8 compensation plan; and (ii) will not promote, recommend,
9 endorse, or solicit participants in the deferred compensation
10 plan to purchase any financial products or services outside of
11 the deferred compensation plan, except that links to parts of
12 the recordkeeper's website that are generally available to the
13 public, are about commercial products, and may be encountered
14 by a participant in the regular course of navigating the
15 recordkeeper's website will not constitute a violation of this
16 item (ii), except that links to parts of the recordkeeper's
17 website that are generally available to the public, are about
18 commercial products, and may be encountered by a participant
19 in the regular course of navigating the recordkeeper's website
20 will not constitute a violation of this item (ii). The System
21 may use funds from the employee and employer contributions to
22 defray any and all costs of creating and maintaining the plan.
23 The System shall produce an annual report on the participation
24 in the plan and shall make the report public.

25 (b) The System shall automatically enroll in the eligible
26 deferred compensation plan any employee of an eligible

1 employer who first becomes a participating employee of the
2 System on or after July 1, 2023 under an eligible automatic
3 contribution arrangement that is subject to Section 414(w) of
4 the Internal Revenue Code of 1986, as amended, and the United
5 States Department of Treasury regulations promulgated
6 thereunder. An employee who is automatically enrolled under
7 this subsection (b) shall have 3% of his or her compensation,
8 as defined by the plan, for each pay period deferred on a
9 pre-tax basis into his or her account, subject to any
10 contribution limits applicable to the plan. The Board may
11 increase the default percentage of compensation deferred under
12 this subsection (b).

13 An employee shall have 30 days from the date on which the
14 System provides the notice required under Section 414(w) of
15 the Internal Revenue Code of 1986, as amended, to elect to not
16 participate in the eligible deferred compensation plan or to
17 elect to increase or reduce the initial amount of elective
18 deferrals made to the plan. In the absence of such affirmative
19 election, the employee shall be automatically enrolled in the
20 plan on the first day of the calendar month, or as soon as
21 administratively practicable thereafter, following the 30th
22 day from the date on which the System provides the required
23 notice. An employee who has been automatically enrolled in the
24 plan under this subsection (b) may elect, within 90 days of
25 enrollment, to withdraw from the plan and receive a refund of
26 amounts deferred, adjusted by applicable earnings and fees. An

1 employee making such an election shall forfeit all employer
2 matching contributions, if any, made with respect to such
3 refunded elective deferrals and such forfeited amounts shall
4 be used to defray plan expenses. Any refunded elective
5 deferrals shall be included in the employee's gross income for
6 the taxable year in which the refund is issued.

7 (c) The System may provide for one or more automatic
8 contribution arrangements, which shall comply with all
9 applicable Internal Revenue Service rules and regulations, in
10 conjunction with or in lieu of the eligible automatic
11 contribution arrangement under subsection (b), for
12 participating employees of eligible employers whose annual
13 earnings are limited by application of subsection (b) of
14 Section 15-111 of this Code. The amount of elective deferrals
15 made for the employee each pay period under an automatic
16 contribution arrangement shall equal the default percentage
17 specified by resolution of the Board multiplied by the
18 employee's compensation as defined by the plan, subject to any
19 contribution limits applicable to the plan, and shall be made
20 on a pre-tax basis. An employee subject to this subsection (c)
21 shall have 30 days from the date on which the System provides
22 written notice to the employee to elect to not participate in
23 the eligible deferred compensation plan or to elect to
24 increase or reduce the amount of initial elective deferrals
25 made to the plan. In the absence of such affirmative election,
26 the employee shall be automatically enrolled in the plan

1 beginning the first day of the calendar month, or as soon as
2 administratively practicable thereafter, following the 30th
3 day from the date on which the System provides the required
4 notice.

5 (d) The System may provide that the default percentage for
6 any employee automatically enrolled in the eligible deferred
7 compensation plan under subsection (b) or (c) be increased by
8 a specified percentage each plan year after the plan year in
9 which the employee is automatically enrolled in the plan. The
10 amount of automatic annual increases in any plan year shall
11 not exceed 1% of compensation as defined by the plan.

12 (e) The changes made to this Section by this amendatory
13 Act of the 102nd General Assembly are corrections of existing
14 law and are intended to be retroactive to the effective date of
15 Public Act 100-769, notwithstanding Section 1-103.1 of this
16 Code.

17 (Source: P.A. 102-540, eff. 8-20-21.)

18 (40 ILCS 5/16-204)

19 Sec. 16-204. Optional defined contribution benefit. As
20 soon as practicable after the effective date of this
21 amendatory Act of the 100th General Assembly, the System shall
22 offer a defined contribution benefit to active members of the
23 System. The defined contribution benefit shall be an optional
24 benefit to any member who chooses to participate. The defined
25 contribution benefit shall collect optional employee and

1 optional employer contributions into an account and shall
2 offer investment options to the participant. The benefit under
3 this Section shall be operated in full compliance with any
4 applicable State and federal laws, and the System shall
5 utilize generally accepted practices in creating and
6 maintaining the benefit for the best interest of the
7 participants. In administering the defined contribution
8 benefit, the System shall require that the defined
9 contribution benefit recordkeeper agree that, in performing
10 services with respect to the defined contribution benefit, the
11 recordkeeper: (i) will not use information received as a
12 result of providing services with respect to the defined
13 contribution benefit or the participants in the defined
14 contribution benefit to solicit the participants in the
15 defined contribution benefit for the purpose of cross-selling
16 nonplan products and services, unless in response to a request
17 by a participant in the defined contribution benefit; and (ii)
18 will not promote, recommend, endorse, or solicit participants
19 in the defined contribution benefit to purchase any financial
20 products or services outside of the defined contribution
21 benefit, except that links to parts of the recordkeeper's
22 website that are generally available to the public, are about
23 commercial products, and may be encountered by a participant
24 in the regular course of navigating the recordkeeper's website
25 will not constitute a violation of this item (ii), except that
26 links to parts of the recordkeeper's website that are

1 generally available to the public, are about commercial
2 products, and may be encountered by a participant in the
3 regular course of navigating the recordkeeper's website will
4 not constitute a violation of this item (ii). The System may
5 use funds from the employee and employer contributions to
6 defray any and all costs of creating and maintaining the
7 benefit. In addition, the System may use funds provided under
8 Section 16-158 of this Code to defray any and all costs of
9 creating and maintaining the benefit and then shall reimburse
10 those costs from funds received from the employee and employer
11 contributions under this Section. All employers must comply
12 with the reporting and administrative functions established by
13 the System and are required to implement the benefits
14 established under this Section. The System shall produce an
15 annual report on the participation in the benefit and shall
16 make the report public.

17 As soon as is practicable on or after January 1, 2022, the
18 System shall automatically enroll any employee who first
19 becomes an active member or participant in the System. A
20 member automatically enrolled under this Section shall have 3%
21 of his or her pre-tax gross compensation for each compensation
22 period deferred into his or her deferred compensation account,
23 unless the member otherwise instructs the System on forms
24 approved by the System. A member may elect, in a manner
25 provided for by the System, to not participate in the defined
26 contribution benefit or to increase or reduce the amount of

1 pre-tax gross compensation contributed, consistent with State
2 or federal law. A member shall be automatically enrolled in
3 the benefit beginning the first day of the pay period
4 following the member's 30th day of employment. A member who
5 has been automatically enrolled in the benefit may elect,
6 within 90 days of enrollment, to withdraw from the benefit and
7 receive a refund of amounts deferred, plus or minus any
8 applicable earnings, investment fees, and administrative fees.
9 Any refunded amount shall be included in the member's gross
10 income for the taxable year in which the refund is issued.

11 On or after January 1, 2023, the System may elect to
12 increase the automatic annual contributions under this
13 Section. The increase in the rate of contribution, however,
14 shall not exceed 2% of a member's pre-tax gross compensation
15 per year, and at no time shall any total contribution exceed
16 any contribution limits established by State or federal law.

17 (Source: P.A. 102-540, eff. 8-20-21.)

18 (40 ILCS 5/24-104) (from Ch. 108 1/2, par. 24-104)

19 Sec. 24-104. State Employees Deferred Compensation Plan.

20 In this Section, "Plan" means the State Employees Deferred
21 Compensation Plan.

22 The Illinois State Board of Investment created under
23 Article 22A of this Act shall develop and establish a deferred
24 compensation plan for employees of the State which shall be
25 known as the State Employees Deferred Compensation Plan. The

1 Plan shall provide for the Board to review proposed investment
2 offerings and shall require that only investments determined
3 to be acceptable by the Board may be used for investing
4 compensation deferred.

5 The Plan shall include appropriate provisions pertaining
6 to its day to day operation providing for methods of electing
7 to defer income, methods of changing the amount of income to be
8 deferred, methods of selecting from among investment options
9 available under the plan and such other provisions as may be
10 appropriate.

11 In administering the Plan, the Board shall require that
12 the Plan recordkeeper agree that, in performing services with
13 respect to the Plan, the recordkeeper: (i) will not use
14 information received as a result of providing services with
15 respect to the Plan or the Plan's participants to solicit the
16 Plan's participants for the purpose of cross-selling non-Plan
17 products and services, unless in response to a request by a
18 Plan participant; and (ii) will not promote, recommend,
19 endorse, or solicit Plan participants to purchase any
20 financial products or services outside of the Plan, except
21 that links to parts of the recordkeeper's website that are
22 generally available to the public, are about commercial
23 products, and may be encountered by a Plan participant in the
24 regular course of navigating the recordkeeper's website will
25 not constitute a violation of this item (ii), except that
26 links to parts of the recordkeeper's website that are

1 generally available to the public, are about commercial
2 products, and may be encountered by a Plan participant in the
3 regular course of navigating the recordkeeper's website will
4 not constitute a violation of this item (ii).

5 The Plan shall provide for the preparation, and
6 distribution from time to time to all eligible State
7 employees, of pamphlets describing the Plan and outlining the
8 options and opportunities available to State employees under
9 the Plan.

10 The Plan established under this Section shall not be
11 implemented or amended until the Board is satisfied that
12 compensation deferred under the Plan is not subject to income
13 tax for the year in which it is earned and that the taxation of
14 such compensation will be deferred until the time of its
15 distribution to the employee.

16 The Board shall also review and oversee the administration
17 of the Plan.

18 (Source: P.A. 81-671.)

19 (40 ILCS 5/24-107) (from Ch. 108 1/2, par. 24-107)

20 Sec. 24-107. Local government plans.

21 (a) Any unit of local government or school district may
22 establish for its employees a deferred compensation plan
23 ~~program~~. Participation shall be by written agreement between
24 each employee and the legislative authority of the unit of
25 local government or school district providing for the deferral

1 of such compensation and the subsequent investment and
2 administration of such funds.

3 (b) Any unit of local government may establish an
4 employer-funded money purchase retirement plan for those of
5 its full time employees who are not eligible to participate in
6 any pension fund or retirement system established under
7 Articles 2 through 18 of this Code. Contributions to the plan
8 shall be made by the unit of local government only from general
9 purpose funds not derived from real property taxes imposed by
10 the unit, at a rate to be determined from time to time by the
11 unit of local government. However, the rate of employer
12 contribution shall be (i) the same for all employees
13 participating in the plan, and (ii) not more than 10% of the
14 employee's salary.

15 Any benefits accruing to the participants in a retirement
16 plan established under this subsection shall be protected from
17 impairment in accordance with Article XIII, Section 5 of the
18 Illinois Constitution. However, the unit of local government
19 establishing such a plan may terminate it at any time, unless
20 it has otherwise contractually agreed with its participating
21 employees.

22 (c) The agency or department designated by the unit of
23 local government or school district to establish and
24 administer a plan or program authorized under subsection (a)
25 or (b) of this Section may invest the assets of the plan in
26 investments deemed appropriate by the agency or department,

1 including but not limited to life insurance or annuity
2 contracts, and share or share certificate accounts of State or
3 federal credit unions, the accounts of which are insured as
4 required by the Illinois Credit Union Act or the Federal
5 Credit Union Act, whichever is applicable. The payment of
6 employer contributions to a retirement plan established under
7 subsection (b), and investment and payment to a participant of
8 deferred compensation and income or gain thereon, if any,
9 shall not be construed to be prohibited uses of the general
10 assets of the unit of local government or school district.

11 This Section does not limit the power or authority of any
12 unit of local government, school district or any institution
13 supported in whole or in part by public funds to establish and
14 administer any other deferred compensation plans that may be
15 authorized by law and deemed appropriate by the officials of
16 such subdivisions or institutions.

17 (d) In administering the deferred compensation plans
18 authorized under this Section, the governing board or
19 administrators of the sponsoring unit of local government or
20 school district shall require that the deferred compensation
21 plan recordkeeper agree that, in performing services with
22 respect to the deferred compensation plan, the recordkeeper:
23 (i) will not use information received as a result of providing
24 services with respect to the deferred compensation plan or the
25 deferred compensation plan's participants to solicit the
26 participants in the deferred compensation plan for the purpose

1 of cross-selling nonplan products and services, unless in
2 response to a request by a participant in the deferred
3 compensation plan; and (ii) will not promote, recommend,
4 endorse, or solicit participants in the deferred compensation
5 plan to purchase any financial products or services outside of
6 the deferred compensation plan, except that links to parts of
7 the recordkeeper's website that are generally available to the
8 public, are about commercial products, and may be encountered
9 by a Plan participant in the regular course of navigating the
10 recordkeeper's website will not constitute a violation of this
11 item (ii).

12 (Source: P.A. 87-794.)

13 Section 2-10. The University Employees Custodial Accounts
14 Act is amended by changing Section 2 as follows:

15 (110 ILCS 95/2) (from Ch. 144, par. 1702)

16 Sec. 2. The governing board of any public institution of
17 higher education has the power to establish a defined
18 contribution plan to make payments to custodial accounts for
19 investment in regulated investment company stock to provide
20 retirement benefits as described in Section 403(b)(7) of the
21 Internal Revenue Code for eligible employees of such
22 institutions. Such payments shall be made with funds made
23 available by deductions from or reductions in salary or wages
24 of eligible employees who authorize in writing deductions or

1 reductions for such purpose. Such stock shall be purchased
2 only from persons authorized to sell such stock in this State.

3 In administering the defined contribution plan, the
4 governing board of any public institution of higher education
5 shall require that the defined contribution plan recordkeeper
6 agree that, in performing services with respect to the defined
7 contribution plan, the recordkeeper: (i) will not use
8 information received as a result of providing services with
9 respect to the defined contribution plan or the participants
10 in the defined contribution plan to solicit the participants
11 in the defined contribution plan for the purpose of
12 cross-selling nonplan products and services, unless in
13 response to a request by a participant in the defined
14 contribution plan; and (ii) will not promote, recommend,
15 endorse, or solicit participants in the defined contribution
16 plan to purchase any financial products or services outside of
17 the defined contribution plan, except that links to parts of
18 the recordkeeper's website that are generally available to the
19 public, are about commercial products, and may be encountered
20 by a participant in the regular course of navigating the
21 recordkeeper's website will not constitute a violation of this
22 item (ii).

23 (Source: P.A. 83-261.)

1 Section 3-5. The Illinois Pension Code is amended by
2 changing Section 1-167 as follows:

3 (40 ILCS 5/1-167)

4 Sec. 1-167. Prohibited disclosures. No pension fund or
5 retirement system subject to this Code shall disclose the
6 following information of any members or participants of any
7 pension fund or retirement system: (1) the individual's home
8 address (including ZIP code and county); (2) the individual's
9 date of birth; (3) the individual's home and personal phone
10 number; (4) the individual's personal email address; (5)
11 personally identifying member or participant deduction
12 information; or (6) any membership status in a labor
13 organization or other voluntary association affiliated with a
14 labor organization or labor federation (including whether
15 participants are members of such organization, the identity of
16 such organization, whether or not participants pay or
17 authorize the payment of any dues or moneys to such
18 organization, and the amounts of such dues or moneys).

19 This Section does not apply to disclosures (i) required
20 under the Freedom of Information Act, (ii) for purposes of
21 conducting public operations or business, or (iii) to a labor
22 organization or other voluntary association affiliated with a
23 labor organization or labor federation or to the Municipal
24 Employees Society of Chicago.

25 (Source: P.A. 101-620, eff. 12-20-19.)

1 Article 4.

2 Section 4-5. The Illinois Pension Code is amended by
3 changing Section 24-105.2 as follows:

4 (40 ILCS 5/24-105.2)

5 Sec. 24-105.2. Automatic enrollment for certain employees.
6 The Department of Central Management Services shall
7 automatically enroll in the State Employees Deferred
8 Compensation Plan any employee who, on or after July 1, 2020,
9 becomes an active member or participant of a retirement system
10 created under Article 2, 14, or 18. Any agency with employees
11 subject to automatic enrollment must systematically provide
12 the employee data necessary for enrollment to the Department
13 of Central Management Services or its designee. An employee
14 automatically enrolled under this Section shall have 3% of his
15 or her pre-tax gross compensation for each compensation period
16 deferred into his or her deferred compensation account. The
17 Board may increase the default percentage amount of
18 compensation deferred into employee accounts.

19 An employee hired on or after January 1, 2024 shall be
20 automatically enrolled in the Plan beginning the first day of
21 the pay period following the close of the notice period,
22 unless the employee elects otherwise within the notice period.
23 During the notice period, an employee may elect to not

1 participate in the Plan or to increase or reduce the amount of
2 pre-tax gross compensation deferred. For the purposes of this
3 Section, "notice period" means a reasonable period of time
4 after the employee is provided with an automatic enrollment
5 notice as required under Section 414(w) of the Internal
6 Revenue Code of 1986, as amended. An employee who has been
7 automatically enrolled in the Plan may elect, within 90 days
8 after enrollment, to withdraw from the Plan and receive a
9 refund of amounts deferred, plus or minus any applicable
10 earnings, investment fees, and administrative fees. An
11 employee making such an election shall forfeit all employer
12 matching contributions, if any, made prior to the election.
13 Any refunded amount shall be included in the employee's gross
14 income for the taxable year in which the refund is issued.

15 An employee hired on or after July 1, 2020 and before
16 January 1, 2024 shall have 30 days from the start date of
17 employment to elect to not participate in the deferred
18 compensation plan or to elect to increase or reduce the amount
19 of pre-tax gross compensation deferred. An employee shall be
20 automatically enrolled in the Plan beginning the first day of
21 the pay period following the employee's thirtieth day of
22 employment. An employee who has been automatically enrolled in
23 the Plan may elect, within 90 days of enrollment, to withdraw
24 from the Plan and receive a refund of amounts deferred, plus or
25 minus any applicable earnings, investment fees, and
26 administrative fees. An employee making such an election shall

1 forfeit all employer matching contributions, if any, made
2 prior to the election. Any refunded amount shall be included
3 in the employee's gross income for the taxable year in which
4 the refund is issued.

5 As soon as practicable, the Board shall establish annual,
6 automatic increases to employee contribution rates for
7 employees who are automatically enrolled in the Plan pursuant
8 to this Section. The amount of automatic annual increases in
9 any 12-month period shall not exceed 1% of compensation.
10 Employees may elect to not receive automatic annual increases
11 in a manner described by the Board.

12 (Source: P.A. 101-277, eff. 1-1-20; 102-219, eff. 7-30-21.)

13 Article 5.

14 Section 5-5. The Illinois Pension Code is amended by
15 changing Sections 22C-115, 22C-116, 22C-119, and 22C-123 as
16 follows:

17 (40 ILCS 5/22C-115)

18 Sec. 22C-115. Board of Trustees of the Fund.

19 (a) No later than February 1, 2020 (one month after the
20 effective date of Public Act 101-610) or as soon thereafter as
21 may be practicable, the Governor shall appoint, by and with
22 the advice and consent of the Senate, a transition board of
23 trustees consisting of 9 members as follows:

1 (1) three members representing municipalities and fire
2 protection districts who are mayors, presidents, chief
3 executive officers, chief financial officers, or other
4 officers, executives, or department heads of
5 municipalities or fire protection districts and appointed
6 from among candidates recommended by the Illinois
7 Municipal League;

8 (2) three members representing participants who are
9 participants and appointed from among candidates
10 recommended by the statewide labor organization
11 representing firefighters employed by at least 85
12 municipalities that is affiliated with the Illinois State
13 Federation of Labor;

14 (3) one member representing beneficiaries who is a
15 beneficiary and appointed from among the candidate or
16 candidates recommended by the statewide labor organization
17 representing firefighters employed by at least 85
18 municipalities that is affiliated with the Illinois State
19 Federation of Labor;

20 (4) one member recommended by the Illinois Municipal
21 League; and

22 (5) one member who is a participant recommended by the
23 statewide labor organization representing firefighters
24 employed by at least 85 municipalities and that is
25 affiliated with the Illinois State Federation of Labor.

26 The transition board members shall serve until the initial

1 permanent board members are elected and qualified.

2 The transition board of trustees shall select the
3 chairperson of the transition board of trustees from among the
4 trustees for the duration of the transition board's tenure.

5 (b) The permanent board of trustees shall consist of 9
6 members comprised as follows:

7 (1) Three members who are mayors, presidents, chief
8 executive officers, chief financial officers, or other
9 officers, executives, or department heads of
10 municipalities or fire protection districts that have
11 participating pension funds and are elected by the mayors
12 and presidents of municipalities or fire protection
13 districts that have participating pension funds.

14 (2) Three members who are participants of
15 participating pension funds and elected by the
16 participants of participating pension funds.

17 (3) One member who is a beneficiary of a participating
18 pension fund and is elected by the beneficiaries of
19 participating pension funds.

20 (4) One member recommended by the Illinois Municipal
21 League who shall be appointed by the Governor with the
22 advice and consent of the Senate.

23 (5) One member recommended by the statewide labor
24 organization representing firefighters employed by at
25 least 85 municipalities and that is affiliated with the
26 Illinois State Federation of Labor who shall be appointed

1 by the Governor with the advice and consent of the Senate.

2 The permanent board of trustees shall select the
3 chairperson of the permanent board of trustees from among the
4 trustees for a term of 2 years. The holder of the office of
5 chairperson shall alternate between a person elected or
6 appointed under item (1) or (4) of this subsection (b) and a
7 person elected or appointed under item (2), (3), or (5) of this
8 subsection (b).

9 (c) Each trustee shall qualify by taking an oath of office
10 before the Secretary of State or the Board's appointed legal
11 counsel stating that he or she will diligently and honestly
12 administer the affairs of the board and will not violate or
13 knowingly permit the violation of any provision of this
14 Article.

15 (d) Trustees shall receive no salary for service on the
16 board but shall be reimbursed for travel expenses incurred
17 while on business for the board ~~according to the standards in~~
18 ~~effect for members of the Commission on Government Forecasting~~
19 ~~and Accountability.~~

20 A municipality or fire protection district employing a
21 firefighter who is an elected or appointed trustee of the
22 board must allow reasonable time off with compensation for the
23 firefighter to conduct official business related to his or her
24 position on the board, including time for travel. The board
25 shall notify the municipality or fire protection district in
26 advance of the dates, times, and locations of this official

1 business. The Fund shall timely reimburse the municipality or
2 fire protection district for the reasonable costs incurred
3 that are due to the firefighter's absence.

4 (e) No trustee shall have any interest in any brokerage
5 fee, commission, or other profit or gain arising out of any
6 investment directed by the board. This subsection does not
7 preclude ownership by any member of any minority interest in
8 any common stock or any corporate obligation in which an
9 investment is directed by the board.

10 (f) Notwithstanding any provision or interpretation of law
11 to the contrary, any member of the transition board may also be
12 elected or appointed as a member of the permanent board.

13 Notwithstanding any provision or interpretation of law to
14 the contrary, any trustee of a fund established under Article
15 4 of this Code may also be appointed as a member of the
16 transition board or elected or appointed as a member of the
17 permanent board.

18 The restriction in Section 3.1 of the Lobbyist
19 Registration Act shall not apply to a member of the transition
20 board appointed pursuant to items (4) or (5) of subsection (a)
21 or to a member of the permanent board appointed pursuant to
22 items (4) or (5) of subsection (b).

23 (Source: P.A. 101-610, eff. 1-1-20; 102-558, eff. 8-20-21.)

24 (40 ILCS 5/22C-116)

25 Sec. 22C-116. Conduct and administration of elections;

1 terms of office.

2 (a) For the election of the permanent trustees, the
3 transition board shall administer the initial elections and
4 the permanent board shall administer all subsequent elections.
5 Each board shall develop and implement such procedures as it
6 determines to be appropriate for the conduct of such
7 elections. For the purposes of obtaining information necessary
8 to conduct elections under this Section, participating pension
9 funds shall cooperate with the Fund.

10 (b) All nominations for election shall be by petition.
11 Each petition for a trustee shall be executed as follows:

12 (1) for trustees to be elected by the mayors and
13 presidents of municipalities or fire protection districts
14 that have participating pension funds, by at least 20 such
15 mayors and presidents; except that this item (1) shall
16 apply only with respect to participating pension funds;

17 (2) for trustees to be elected by participants, by at
18 least 400 participants; and

19 (3) for trustees to be elected by beneficiaries, by at
20 least 100 beneficiaries.

21 (c) A separate ballot shall be used for each class of
22 trustee. The board shall prepare and send ballots and ballot
23 envelopes to ~~the participants and beneficiaries~~ eligible
24 voters to vote in accordance with rules adopted by the board.
25 The ballots shall contain the names of all candidates in
26 alphabetical order. ~~The ballot envelope shall have on the~~

1 ~~outside a form of certificate stating that the person voting~~
2 ~~the ballot is a participant or beneficiary entitled to vote.~~

3 Eligible voters ~~Participants and beneficiaries~~, upon
4 receipt of the ballot, shall vote the ballot and place it in
5 the ballot envelope, seal the envelope, ~~execute the~~
6 ~~certificate thereon~~, and return the ballot to the Fund.

7 The board shall set a final date for ballot return, and
8 ballots received prior to that date in a ballot envelope ~~with a~~
9 ~~properly executed certificate and properly voted~~ shall be
10 valid ballots.

11 The board shall set a day for counting the ballots and name
12 judges and clerks of election to conduct the count of ballots
13 and shall make any rules necessary for the conduct of the
14 count.

15 The candidate or candidates receiving the highest number
16 of votes for each class of trustee shall be elected. In the
17 case of a tie vote, the winner shall be determined in
18 accordance with procedures developed by the Department of
19 Insurance.

20 In lieu of conducting elections via mail balloting as
21 described in this Section, the board may instead adopt rules
22 to provide for elections to be carried out solely via Internet
23 balloting or phone balloting. Nothing in this Section
24 prohibits the Fund from contracting with a third party to
25 administer the election in accordance with this Section.

26 (d) At any election, voting shall be as follows:

1 (1) Each person authorized to vote for an elected
2 trustee may cast one vote for each related position for
3 which such person is entitled to vote and may cast such
4 vote for any candidate or candidates on the ballot for
5 such trustee position.

6 (2) If only one candidate for each position is
7 properly nominated in petitions received, that candidate
8 shall be deemed the winner and no election under this
9 Section shall be required.

10 (3) The results shall be entered in the minutes of the
11 first meeting of the board following the tally of votes.

12 (e) The initial election for permanent trustees shall be
13 held and the permanent board shall be seated no later than 12
14 months after the effective date of this amendatory Act of the
15 101st General Assembly. Each subsequent election shall be held
16 no later than 30 days prior to the end of the term of the
17 incumbent trustees.

18 (f) The elected trustees shall each serve for terms of 4
19 years commencing on the first business day of the first month
20 after election; except that the terms of office of the
21 initially elected trustees shall be as follows:

22 (1) One trustee elected pursuant to item (1) of
23 subsection (b) of Section 22C-115 shall serve for a term
24 of 2 years and 2 trustees elected pursuant to item (1) of
25 subsection (b) of Section 22C-115 shall serve for a term
26 of 4 years;

1 (2) One trustee elected pursuant to item (2) of
2 subsection (b) of Section 22C-115 shall serve for a term
3 of 2 years and 2 trustees elected pursuant to item (2) of
4 subsection (b) of Section 22C-115 shall serve for a term
5 of 4 years; and

6 (3) The trustee elected pursuant to item (3) of
7 subsection (b) of Section 22C-115 shall serve for a term
8 of 2 years.

9 (g) The trustees appointed pursuant to items (4) and (5)
10 of subsection (b) of Section 22C-115 shall each serve for a
11 term of 4 years commencing on the first business day of the
12 first month after the election of the elected trustees.

13 (h) A member of the board who was elected pursuant to item
14 (1) of subsection (b) of Section 22C-115 who ceases to serve as
15 a mayor, president, chief executive officer, chief financial
16 officer, or other officer, executive, or department head of a
17 municipality or fire protection district that has a
18 participating pension fund shall not be eligible to serve as a
19 member of the board and his or her position shall be deemed
20 vacant. A member of the board who was elected by the
21 participants of participating pension funds who ceases to be a
22 participant may serve the remainder of his or her elected
23 term.

24 ~~For a vacancy of an elected trustee occurring with an~~
25 ~~unexpired term of 6 months or more, an election shall be~~
26 ~~conducted for the vacancy in accordance with Section 22C 115~~

1 ~~and this Section.~~

2 For a vacancy of an elected trustee ~~occurring with an~~
3 ~~unexpired term of less than 6 months~~, the vacancy shall be
4 filled by appointment by the board ~~for the unexpired term~~ as
5 follows: a vacancy of a member elected pursuant to item (1) of
6 subsection (b) of Section 22C-115 shall be filled by a mayor,
7 president, chief executive officer, chief financial officer,
8 or other officer, executive, or department head of a
9 municipality or fire protection district that has a
10 participating pension fund; a vacancy of a member elected
11 pursuant to item (2) of subsection (b) of Section 22C-115
12 shall be filled by a participant of a participating pension
13 fund; and a vacancy of a member elected under item (3) of
14 subsection (b) of Section 22C-115 shall be filled by a
15 beneficiary of a participating pension fund. A trustee
16 appointed to fill the vacancy of an elected trustee shall
17 serve until a successor is elected. Special elections to fill
18 the remainder of an unexpired term vacated by an elected
19 trustee shall be held concurrently with and in the same manner
20 as the next regular election for an elected trustee position.

21 Vacancies among the appointed trustees shall be filled for
22 unexpired terms by appointment in like manner as for the
23 original appointments.

24 (Source: P.A. 101-610, eff. 1-1-20.)

25 (40 ILCS 5/22C-119)

1 Sec. 22C-119. Adoption of rules. The board shall adopt
2 such rules (not inconsistent with this Code) as in its
3 judgment are desirable to implement and properly administer
4 this Article. Such rules shall specifically provide for the
5 following: (1) the implementation of the transition process
6 described in Section 22C-120; (2) the process by which the
7 participating pension funds may request transfer of funds; (3)
8 the process for the transfer in, receipt for, and investment
9 of pension assets received by the Fund after the transition
10 period from the participating pension funds; (4) the process
11 by which contributions from municipalities and fire protection
12 districts for the benefit of the participating pension funds
13 may, but are not required to, be directly transferred to the
14 Fund; and (5) compensation and benefits for its employees. A
15 copy of the rules adopted by the Fund shall be posted on the
16 Fund's website ~~filed with the Secretary of State and the~~
17 ~~Department of Insurance~~. The adoption and effectiveness of
18 such rules shall not be subject to Article 5 of the Illinois
19 Administrative Procedure Act.

20 (Source: P.A. 101-610, eff. 1-1-20.)

21 (40 ILCS 5/22C-123)

22 Sec. 22C-123. Custodian. The pension fund assets
23 transferred to or otherwise acquired by the Fund shall be
24 placed in the custody of a custodian who shall provide
25 adequate safe deposit facilities for those assets and hold all

1 such securities, funds, and other assets subject to the order
2 of the Fund.

3 Each custodian shall furnish a corporate surety bond of
4 such amount as the board designates, which bond shall
5 indemnify the Fund, the board, and the officers and employees
6 of the Fund against any loss that may result from any action or
7 failure to act by the custodian or any of the custodian's
8 agents, or provide insurance coverages of such type and limits
9 as the board designates. All charges incidental to the
10 procuring and giving of any bond shall be paid by the board and
11 each bond shall be in the custody of the board.

12 (Source: P.A. 101-610, eff. 1-1-20.)

13 Article 6.

14 Section 6-5. The Illinois Pension Code is amended by
15 changing Section 8-165 as follows:

16 (40 ILCS 5/8-165) (from Ch. 108 1/2, par. 8-165)

17 Sec. 8-165. Re-entry into service.

18 (a) Except as provided in subsection (c) or (d), when an
19 employee receiving age and service or prior service annuity
20 who has withdrawn from service after the effective date
21 re-enters service before age 65, any annuity previously
22 granted and any annuity fixed for his wife shall be cancelled.
23 The employee shall be credited for annuity purposes with sums

1 sufficient to provide annuities equal to those cancelled, as
2 of their ages on the date of re-entry; provided, the maximum
3 age of the wife for this purpose shall be as provided in
4 Section 8-155 of this Article.

5 The sums so credited shall provide for annuities to be
6 fixed and granted in the future. Contributions by the
7 employees and the city for the purposes of this Article shall
8 be made, and when the proper time arrives, as provided in this
9 Article, new annuities based upon the total credit for annuity
10 purposes and the entire term of his service shall be fixed for
11 the employee and his wife.

12 If the employee's wife died before he re-entered service,
13 no part of any credits for widow's or widow's prior service
14 annuity at the time annuity for his wife was fixed shall be
15 credited upon re-entry into service, and no such sums shall
16 thereafter be used to provide such annuity.

17 (b) Except as provided in subsection (c) or (d), when an
18 employee re-enters service after age 65, payments on account
19 of any annuity previously granted shall be suspended during
20 the time thereafter that he is in service, and when he again
21 withdraws, annuity payments shall be resumed. If the employee
22 dies in service, his widow shall receive the amount of annuity
23 previously fixed for her.

24 (c) For school years beginning on or after July 1, 2021, an
25 age and service or prior service annuity shall not be
26 cancelled in the case of an employee who is re-employed by the

1 Board of Education of the city as a Special Education
2 Classroom Assistant or Classroom Assistant on a temporary and
3 non-annual basis or on an hourly basis so long as the person:
4 (1) does not work for compensation on more than 120 days in a
5 school year; or (2) does not accept gross compensation for the
6 re-employment in a school year in excess of \$30,000. These
7 limitations apply only to school years that begin on or after
8 July 1, 2021. Re-employment under this subsection does not
9 require contributions, result in service credit being earned
10 or granted, or constitute active participation in the Fund.

11 (d) For school years beginning on or after July 1, 2023, an
12 age and service or prior service annuity shall not be
13 cancelled in the case of an employee who is re-employed by the
14 Board of Education of the city as a paraprofessional or
15 related service provider on a temporary and non-annual basis
16 or on an hourly basis so long as the person: (1) does not work
17 for compensation on more than 120 days in a school year; or (2)
18 does not accept gross compensation for the re-employment in a
19 school year in excess of \$30,000. These limitations apply only
20 to school years that begin on or after July 1, 2023.
21 Re-employment under this subsection does not require
22 contributions, result in service credit being earned or
23 granted, or constitute active participation in the Fund.

24 (Source: P.A. 102-342, eff. 8-13-21.)

1 Section 7-5. The School Code is amended by changing
2 Section 24-6.3 as follows:

3 (105 ILCS 5/24-6.3) (from Ch. 122, par. 24-6.3)

4 Sec. 24-6.3. Retirement trustee leave.

5 (a) Each school board employing a teacher who is an
6 elected trustee of the Teachers' Retirement System of the
7 State of Illinois shall make available to the elected trustee
8 at least 20 days of paid leave of absence per year for the
9 purpose of attending meetings of the System's Board of
10 Trustees, committee meetings of such Board, and seminars
11 regarding issues for which such Board is responsible. The
12 Teachers' Retirement System of the State of Illinois shall
13 reimburse affected school districts for the actual cost of
14 hiring a substitute teacher during such leaves of absence.

15 (b) Each school board employing an employee who is an
16 elected trustee of the Illinois Municipal Retirement Fund
17 shall make available to the elected trustee at least 20 days of
18 paid leave of absence per year for the purpose of attending
19 meetings of the Fund's Board of Trustees, committee meetings
20 of the Board of Trustees, and seminars regarding issues for
21 which the Board of Trustees is responsible. The Illinois
22 Municipal Retirement Fund may reimburse affected school
23 districts for the actual cost of hiring a substitute employee
24 during such leaves of absence.

1 ~~the month is due~~ by the 10th ~~25th~~ of the following month.
2 Additionally, all ~~The deposit of member contributions for~~
3 ~~salary paid between the sixteenth and last day of the month is~~
4 ~~due by the 10th of the following month.~~ All required
5 contributions for salary earned during a school term are due
6 by July 10 ~~next~~ following the close of such school term.

7 The governing body of each State institution coming under
8 this retirement system, the State Comptroller or other State
9 officer certifying payroll vouchers including payments of
10 salary or wages to teachers, and any other employer of
11 teachers, shall, monthly, forward to the secretary of the
12 retirement system the member contributions required under this
13 Article.

14 Each employer specified above shall, prior to August 15 of
15 each year, forward to the System a detailed statement,
16 verified in all cases of school districts by the secretary or
17 clerk of the district, of the amounts so contributed since the
18 period covered by the last previous annual statement, together
19 with required contributions not yet forwarded, such payments
20 being payable to the System.

21 The board may prescribe rules governing the form, content,
22 investigation, control, and supervision of such statements and
23 may establish additional interim employer reporting
24 requirements as the Board deems necessary. If no teacher in a
25 school district comes under the provisions of this Article,
26 the governing body of the district shall so state under the

1 oath of its secretary to this system, and shall at the same
2 time forward a copy of the statement to the regional
3 superintendent of schools.

4 The board may also require reporting requirements that are
5 different than those prescribed in this Section and may
6 require different reporting requirements for different
7 benefits or purposes established under this Article,
8 including, but not limited to, any optional benefit plan an
9 employee chooses to participate in.

10 (b) If ~~the governing body of~~ an employer that is not a
11 State agency fails to forward such required contributions
12 within the time permitted in subsection (a) above, the System
13 shall notify the employer of an ~~additional~~ amount due, equal
14 to \$50 per day for each day that elapses from the due date
15 until the day such report and ~~employee~~ contributions are
16 received by the System.

17 (c) If the system, on August 15, is not in receipt of the
18 detailed statements required under this Section of any school
19 district or other employing unit, such school district or
20 other employing unit shall pay to the system an amount equal to
21 \$250 for each day that elapses from August 15, until the day
22 such statement is filed with the system.

23 (Source: P.A. 101-502, eff. 8-23-19.)

1 Section 9-5. The Illinois Pension Code is amended by
2 changing Sections 9-108.3 and 9-161 as follows:

3 (40 ILCS 5/9-108.3)

4 Sec. 9-108.3. In service. "In service": Any period during
5 which contributions are being made to the Fund on behalf of an
6 employee except for temporary election work as described in
7 subsection (c) of Section 9-161.

8 (Source: P.A. 99-578, eff. 7-15-16.)

9 (40 ILCS 5/9-161) (from Ch. 108 1/2, par. 9-161)

10 Sec. 9-161. Re-entry into service. (a) When an employee
11 who has withdrawn from service after the effective date
12 re-enters service before age 65, any annuity previously
13 granted and any annuity fixed for his wife shall be cancelled.
14 The employee shall be credited for annuity purposes with the
15 actuarial value of annuities equal to those cancelled as of
16 their ages on the date of re-entry; provided, the maximum age
17 of the wife for this purpose shall be as provided in Section
18 9-151 of this Article. The sums so credited shall provide for
19 annuities to be fixed and granted in the future. Contributions
20 by the employee and the county for the purposes of this Article
21 shall be made and when the proper time arrives, as provided in
22 this Article, new annuities based upon the total sums
23 accumulated to his credit for annuity purposes and the entire
24 term of his service shall be fixed for the employee and his

1 wife.

2 If the employee's wife has died before he re-entered
3 service, no part of any credits for widow's or widow's prior
4 service annuity at the time annuity for his wife was fixed
5 shall be credited upon re-entry into service, and no such sums
6 shall thereafter be used to provide such annuity.

7 (b) When an employee re-enters service after age 65,
8 payments on account of any annuity previously granted shall be
9 suspended during the time thereafter that he is in service,
10 and when he again withdraws annuity payments shall be resumed.
11 If the employee dies in service, his widow shall receive the
12 annuity previously fixed for her.

13 (c) If an employee annuitant re-enters service as an
14 election worker and provides services for a scheduled federal,
15 State, or local election for a period of 60 days or less during
16 a calendar year, that employee annuitant's annuity shall not
17 be suspended and such employee annuitant shall not be
18 considered to be in service within the meaning of Section
19 9-108.3 and is not entitled to benefits for employees in
20 service. If an employee annuitant re-enters service for a
21 period longer than 60 days during a calendar year, the annuity
22 shall be suspended or cancelled retroactive to the initial
23 date of re-entry.

24 (Source: P.A. 81-1536.)

25

Article 10.

1 Section 10-5. The Illinois Pension Code is amended by
2 changing Section 17-133 as follows:

3 (40 ILCS 5/17-133) (from Ch. 108 1/2, par. 17-133)

4 Sec. 17-133. Contributions for periods of outside and
5 other service. Regularly certified and appointed teachers who
6 desire to have the following described services credited for
7 pension purposes shall submit to the Board evidence thereof
8 and pay into the Fund the amounts prescribed herein:

9 1. For teaching service by a certified teacher in the
10 public schools of the several states or in schools
11 operated by or under the auspices of the United States, a
12 teacher shall pay the contributions at the rates in force
13 (a) on the date of appointment as a regularly certified
14 teacher after salary adjustments are completed, or (b) at
15 the time of reappointment after salary adjustments are
16 completed, whichever is later, but not less than \$450 per
17 year of service. Upon the Board's approval of such service
18 and the payment of the required contributions, service
19 credit of not more than 10 years shall be granted.

20 2. For service as a playground instructor in public
21 school playgrounds, teachers shall pay the contributions
22 prescribed in this Article (a) at the time of appointment,
23 as a regularly certified teacher after salary adjustments
24 are completed, or (b) on return to service as a full time

1 regularly certified teacher, as the case may be, provided
2 such rates or amounts shall not be less than \$450 per year.

3 3. For service prior to September 1, 1955, in the
4 public schools of the City as a substitute, evening school
5 or temporary teacher, or for service as an Americanization
6 teacher prior to December 31, 1955, teachers shall pay the
7 contributions prescribed in this Article (a) at the time
8 of appointment, as a regularly certified teacher after
9 salary adjustments are completed, (b) on return to service
10 as a full time regularly certified teacher, as the case
11 may be, provided such rates or amounts shall not be less
12 than \$450 per year; and provided further that for teachers
13 employed on or after September 1, 1953, rates shall not
14 include contributions for widows' pensions if the service
15 described in this sub-paragraph 3 was rendered before that
16 date. Any teacher entitled to repay a refund of
17 contributions under Section 17-126 may validate service
18 described in this paragraph by payment of the amounts
19 prescribed herein, together with the repayment of the
20 refund, provided that if such creditable service was the
21 last service rendered in the public schools of the City
22 and is not automatically reinstated by repayment of the
23 refund, the rates or amounts shall not be less than \$450
24 per year.

25 4. For service after June 30, 1982 as a member of the
26 Board of Education, if required to resign from an

1 administrative or teaching position in order to qualify as
2 a member of the Board of Education.

3 5. For service during the 1986-87 school year as a
4 teacher on a special leave of absence with full loss of
5 salary, teaching for an agency under contract to the Board
6 of Education, if the teacher returned to employment in
7 September, 1987. For service under this item 5, the
8 teacher must pay the contributions at the rates in force
9 at the completion of the leave period.

10 6. For up to 2 years of service as a teacher or
11 administrator employed by a private school registered with
12 or recognized by the Illinois State Board of Education,
13 provided that the teacher (i) was certified under the law
14 governing the certification of teachers at the time the
15 service was rendered, (ii) applies in writing no later
16 than 2 years after the effective date of this amendatory
17 Act of the 102nd General Assembly, (iii) supplies
18 satisfactory evidence of the employment, (iv) completes at
19 least 10 years of contributing service as a teacher as
20 defined in Section 17-106, (v) pays the contribution
21 required in this Section, and (vi) does not receive credit
22 for that service under any other provision of this Code.
23 The member may apply for credit under this subsection and
24 pay the required contribution before completing the 10
25 years of contributing service required under item (iv),
26 but the credit may not be used until the item (iv)

1 contributing service requirement has been met.

2 For each year of service credit to be established
3 under this subparagraph 6, a member is required to
4 contribute to the System (i) the employee and employer
5 contribution that would have been required had such
6 service been rendered as a member based on the annual
7 salary rate during the first year of full-time employment
8 as a teacher under this Article following the private
9 school service, plus (ii) interest thereon at the
10 actuarially assumed rate from the date of first full-time
11 employment as a teacher under this Article following the
12 private school service to the date of payment, compounded
13 annually, ~~at a rate determined by the Board.~~

14 For service described in sub-paragraphs 1, 2 and 3 of this
15 Section, interest shall be charged beginning one year after
16 the effective date of appointment or reappointment.

17 Effective September 1, 1974, the interest rate to be
18 charged by the Fund on contributions provided in
19 sub-paragraphs 1, 2, 3 and 4 shall be 5% per annum compounded
20 annually.

21 (Source: P.A. 102-822, eff. 5-13-22.)

22 Article 99.

23 Section 99-90. The State Mandates Act is amended by adding
24 Section 8.47 as follows:

1 (30 ILCS 805/8.47 new)

2 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
3 8 of this Act, no reimbursement by the State is required for
4 the implementation of any mandate created by this amendatory
5 Act of the 103rd General Assembly.

6 Section 99-99. Effective date. This Act takes effect upon
7 becoming law.".