



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2398

Introduced 2/10/2023, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

| | |
|-----------------------|------------------------------|
| 40 ILCS 5/8-110 | from Ch. 108 1/2, par. 8-110 |
| 40 ILCS 5/8-113 | from Ch. 108 1/2, par. 8-113 |
| 40 ILCS 5/8-180.3 new | |
| 30 ILCS 805/8.47 new | |

Amends the Chicago Municipal Article of the Illinois Pension Code. Adds the Metropolitan Pier and Exposition Authority to the definition of "employer". Adds any person employed by the Metropolitan Pier and Exposition Authority to the definition of "employee". Provides that an employee or a member or participant under any reciprocal retirement system or pension fund established under the Code may establish service credit in the Fund for employment with the Metropolitan Pier and Exposition Authority prior to the effective date of the amendatory Act by applying and paying to the Fund for that employment an amount equal to the (1) employee contributions based on the actual compensation received and the rate of contribution in effect on the date of payment; plus (2) an amount representing employer contributions determined by the retirement board; plus (3) interest at the effective rate from the date of service to the date of payment. Provides that service credit shall not be granted for any such prior employment for which the applicant received credit under any other provision of the Code or during which the applicant was on a leave of absence. Amends the State Mandates Act to require implementation without reimbursement.

LRB103 30782 RPS 57270 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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
5 changing Sections 8-110 and 8-113 and by adding Section
6 8-180.3 as follows:

7 (40 ILCS 5/8-110) (from Ch. 108 1/2, par. 8-110)

8 Sec. 8-110. Employer. "Employer":

9 (1) a city of more than 500,000 inhabitants;

10 (2) the Board of Education of the city, with respect to any
11 of its employees who participate in this Fund;

12 (3) the Chicago Housing Authority, with respect to any of
13 its employees who participate in this Fund subject to the
14 provisions of Section 8-230.9;

15 (4) the Public Building Commission of the city, with
16 respect to any of its employees who participate in this Fund;

17 ~~and~~

18 (5) the Retirement Board; ~~and~~

19 (6) the Metropolitan Pier and Exposition Authority.

20 (Source: P.A. 92-599, eff. 6-28-02.)

21 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

22 Sec. 8-113. Municipal employee, employee, contributor, or

1 participant. "Municipal employee", "employee", "contributor",
2 or "participant":

3 (a) Any employee of an employer employed in the classified
4 civil service thereof other than by temporary appointment or
5 in a position excluded or exempt from the classified service
6 by the Civil Service Act, or in the case of a city operating
7 under a personnel ordinance, any employee of an employer
8 employed in the classified or career service under the
9 provisions of a personnel ordinance, other than in a
10 provisional or exempt position as specified in such ordinance
11 or in rules and regulations formulated thereunder.

12 (b) Any employee in the service of an employer before the
13 Civil Service Act came in effect for the employer.

14 (c) Any person employed by the board.

15 (d) Any person employed after December 31, 1949, but prior
16 to January 1, 1984, in the service of the employer by temporary
17 appointment or in a position exempt from the classified
18 service as set forth in the Civil Service Act, or in a
19 provisional or exempt position as specified in the personnel
20 ordinance, who meets the following qualifications:

21 (1) has rendered service during not less than 12
22 calendar months to an employer as an employee, officer, or
23 official, 4 months of which must have been consecutive
24 full normal working months of service rendered immediately
25 prior to filing application to be included; and

26 (2) files written application with the board, while in

1 the service, to be included hereunder.

2 (e) After December 31, 1949, any alderperson or other
3 officer or official of the employer, who files, while in
4 office, written application with the board to be included
5 hereunder.

6 (f) Beginning January 1, 1984, any person employed by an
7 employer other than the Chicago Housing Authority or the
8 Public Building Commission of the city, whether or not such
9 person is serving by temporary appointment or in a position
10 exempt from the classified service as set forth in the Civil
11 Service Act, or in a provisional or exempt position as
12 specified in the personnel ordinance, provided that such
13 person is neither (1) an alderperson or other officer or
14 official of the employer, nor (2) participating, on the basis
15 of such employment, in any other pension fund or retirement
16 system established under this Act.

17 (g) After December 31, 1959, any person employed in the
18 law department of the city, or municipal court or Board of
19 Election Commissioners of the city, who was a contributor and
20 participant, on December 31, 1959, in the annuity and benefit
21 fund in operation in the city on said date, by virtue of the
22 Court and Law Department Employees' Annuity Act or the Board
23 of Election Commissioners Employees' Annuity Act.

24 After December 31, 1959, the foregoing definition includes
25 any other person employed or to be employed in the law
26 department, or municipal court (other than as a judge), or

1 Board of Election Commissioners (if his salary is provided by
2 appropriation of the city council of the city and his salary
3 paid by the city) -- subject, however, in the case of such
4 persons not participants on December 31, 1959, to compliance
5 with the same qualifications and restrictions otherwise set
6 forth in this Section and made generally applicable to
7 employees or officers of the city concerning eligibility for
8 participation or membership.

9 Notwithstanding any other provision in this Section, any
10 person who first becomes employed in the law department of the
11 city on or after the effective date of this amendatory Act of
12 the 100th General Assembly shall be included within the
13 foregoing definition, effective upon the date the person first
14 becomes so employed, regardless of the nature of the
15 appointment the person holds under the provisions of a
16 personnel ordinance.

17 (h) After December 31, 1965, any person employed in the
18 public library of the city -- and any other person -- who was a
19 contributor and participant, on December 31, 1965, in the
20 pension fund in operation in the city on said date, by virtue
21 of the Public Library Employees' Pension Act.

22 (i) After December 31, 1968, any person employed in the
23 house of correction of the city, who was a contributor and
24 participant, on December 31, 1968, in the pension fund in
25 operation in the city on said date, by virtue of the House of
26 Correction Employees' Pension Act.

1 (j) Any person employed full-time on or after the
2 effective date of this amendatory Act of the 92nd General
3 Assembly by the Chicago Housing Authority who has elected to
4 participate in this Fund as provided in subsection (a) of
5 Section 8-230.9.

6 (k) Any person employed full-time by the Public Building
7 Commission of the city who has elected to participate in this
8 Fund as provided in subsection (d) of Section 8-230.7.

9 (l) Any person employed by the Metropolitan Pier and
10 Exposition Authority.

11 (Source: P.A. 102-15, eff. 6-17-21.)

12 (40 ILCS 5/8-180.3 new)

13 Sec. 8-180.3. Credit for service as an employee of the
14 Metropolitan Pier and Exposition Authority. An employee or a
15 member or participant under any reciprocal retirement system
16 or pension fund established under this Code may establish
17 service credit in the Fund for employment with the
18 Metropolitan Pier and Exposition Authority prior to the
19 effective date of this amendatory Act of the 103rd General
20 Assembly by applying and paying to the Fund for that
21 employment an amount equal to the (1) employee contributions
22 based on the actual compensation received and the rate of
23 contribution in effect on the date of payment; plus (2) an
24 amount representing employer contributions determined by the
25 retirement board; plus (3) interest at the effective rate from

1 the date of service to the date of payment. However, service
2 credit shall not be granted under this Section for any such
3 prior employment for which the applicant received credit under
4 any other provision of this Code or during which the applicant
5 was on a leave of absence.

6 Section 90. The State Mandates Act is amended by adding
7 Section 8.47 as follows:

8 (30 ILCS 805/8.47 new)

9 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
10 8 of this Act, no reimbursement by the State is required for
11 the implementation of any mandate created by this amendatory
12 Act of the 103rd General Assembly.