



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4852

Introduced 2/18/2020, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.10
40 ILCS 5/7-139.14 new
30 ILCS 805/8.44 new

Amends the Downstate Police and Illinois Municipal Retirement Fund (IMRF) Articles of the Illinois Pension Code. Provides that within 6 months after the effective date of the amendatory Act, a person may transfer to a fund established under the Downstate Police Article creditable service accumulated under IMRF for service as a sheriff's law enforcement employee, person employed by a participating municipality to perform police duties, or law enforcement officer employed on a full-time basis by a forest preserve district upon payment to the police pension fund of a specified amount to be determined by the board. Provides that any person applying to transfer service under the provisions may reinstate credits and creditable service under IMRF that were terminated upon receipt of a separation benefit by paying to IMRF the amount of the separation benefit plus interest thereon at the actuarially assumed rate of interest to the date of payment. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB101 20478 RPS 70054 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Section 3-110.10 and by adding Section 7-139.14 as follows:

6 (40 ILCS 5/3-110.10)

7 Sec. 3-110.10. Transfer from Article 7. Until January 1,
8 2009, a person may transfer to a fund established under this
9 Article up to 8 years of creditable service accumulated under
10 Article 7 of this Code upon payment to the fund of an amount to
11 be determined by the board, equal to (i) the difference between
12 the amount of employee and employer contributions transferred
13 to the fund under Section 7-139.11 and the amounts that would
14 have been contributed had such contributions been made at the
15 rates applicable to an employee under this Article, plus (ii)
16 interest thereon at the actuarially assumed rate, compounded
17 annually, from the date of service to the date of payment.

18 No later than 6 months after the effective date of this
19 amendatory Act of the 101st General Assembly, a person may
20 transfer to a fund established under this Article creditable
21 service accumulated under Article 7 of this Code for service as
22 a sheriff's law enforcement employee, person employed by a
23 participating municipality to perform police duties, or law

1 enforcement officer employed on a full-time basis by a forest
2 preserve district upon payment to the fund of an amount to be
3 determined by the board, equal to (i) the difference between
4 the amount of employee and employer contributions transferred
5 to the fund under Section 7-139.14 and the amounts that would
6 have been contributed had such contributions been made at the
7 rates applicable to an employee under this Article, plus (ii)
8 interest thereon at the actuarially assumed rate, compounded
9 annually, from the date of service to the date of payment.

10 (Source: P.A. 95-530, eff. 8-28-07; 95-876, eff. 8-21-08;
11 95-1036, eff. 2-17-09.)

12 (40 ILCS 5/7-139.14 new)

13 Sec. 7-139.14. Transfer to Article 3 pension fund.

14 (a) Within 6 months after the effective date of this
15 amendatory Act of the 101st General Assembly, an active member
16 of a pension fund established under Article 3 of this Code may
17 apply for transfer to that Article 3 pension fund of his or her
18 credits and creditable service accumulated in this Fund for
19 service as a sheriff's law enforcement employee, person
20 employed by a participating municipality to perform police
21 duties, or law enforcement officer employed on a full-time
22 basis by a forest preserve district. The creditable service
23 shall be transferred only upon payment by this Fund to such
24 Article 3 pension fund of an amount equal to:

25 (1) the amounts accumulated to the credit of the

1 applicant for the service to be transferred, including
2 interest; and

3 (2) an amount representing employer contributions,
4 equal to the total amount determined under item (1); and

5 (3) any interest paid by the applicant to reinstate
6 such service.

7 Participation in this Fund as to any credits transferred
8 under this Section shall terminate on the date of transfer.

9 (b) Notwithstanding any other provision of this Code, any
10 person applying to transfer service under this Section may
11 reinstate credits and creditable service terminated upon
12 receipt of a separation benefit by paying to the Fund the
13 amount of the separation benefit plus interest thereon at the
14 actuarially assumed rate of interest to the date of payment.
15 Such payment must be made within 90 days after notification by
16 the Fund of the cost of such reinstatement.

17 Section 90. The State Mandates Act is amended by adding
18 Section 8.44 as follows:

19 (30 ILCS 805/8.44 new)

20 Sec. 8.44. Exempt mandate. Notwithstanding Sections 6 and 8
21 of this Act, no reimbursement by the State is required for the
22 implementation of any mandate created by this amendatory Act of
23 the 101st General Assembly.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.