



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4684

by Rep. Robert Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/15-155.1 new

Amends the State Universities Article of the Illinois Pension Code. Provides that if an employer fails to transmit required contributions to the System for more than 120 days after the payment of those contributions is due, the Board may certify to the State Comptroller the amount of those delinquent employer contributions and the State Comptroller shall deduct the certified amount from State funds to the employer and remit the amount deducted to the System. Provides that if State funds from which those deductions may be made are not available or if deductions are delayed for longer than 120 days after the date of the certification to the Comptroller, the Board may proceed against the employer to recover the amounts of such delinquent payments in the appropriate circuit court. Adds similar provisions if the employer is a community college district. Makes other changes. Effective immediately.

LRB100 17268 RPS 32427 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 adding
5 Section 15-155.1 as follows:

6 (40 ILCS 5/15-155.1 new)

7 Sec. 15-155.1. Actions to enforce payments by employers.

8 (a) Except as otherwise specified, if any employer fails to
9 transmit to the System contributions required of it under this
10 Article or contributions collected by it from its participating
11 employees for the purposes of this Article for more than 120
12 days after the payment of those contributions is due, the
13 Board, after giving notice to that employer, may certify to the
14 State Comptroller the amounts of such delinquent payments in
15 accordance with any applicable rules of the Comptroller, and
16 the Comptroller shall deduct the amounts so certified or any
17 part thereof from any payments of State funds to the employer
18 involved and shall remit the amount so deducted to the System.
19 If State funds from which such deductions may be made are not
20 available or if deductions are delayed for longer than 120 days
21 after the date of the certification to the Comptroller, the
22 Board may proceed against the employer to recover the amounts
23 of such delinquent payments in the appropriate circuit court.

1 (b) Except as otherwise specified, if any employer that is
2 a community college district fails to transmit to the System
3 contributions required of it under this Article or
4 contributions collected by it from its participating employees
5 for the purposes of this Article for more than 120 days after
6 the payment of those contributions is due, the Board, after
7 giving notice to that employer, may certify the fact of such
8 delinquent payment to the county treasurer of the county in
9 which that employer is located, who shall thereafter remit the
10 amounts collected from any taxes levied by the employer
11 directly to the System. If the funds from which such
12 remittances may be made are not available or if the remittances
13 are delayed for longer than 120 days after the date of the
14 certification to the county treasurer, the Board may proceed
15 against the employer to recover the amounts of such delinquent
16 payments in the appropriate circuit court.

17 (c) Nothing in this Section prohibits the Board from
18 proceeding against an employer to recover the amounts of any
19 delinquent payments in the appropriate circuit court.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.