



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2904

by Rep. Robert Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/9-169	from Ch. 108 1/2, par. 9-169
40 ILCS 5/10-107	from Ch. 108 1/2, par. 10-107
30 ILCS 805/8.43 new	

Amends the Cook County Forest Preserve Article of the Illinois Pension Code. Removes language providing how the Cook County Forest Preserve shall levy and collect a property tax levied to provide revenue for the fund under that Article. Amends the Cook County and Cook County Forest Preserve Articles of the Illinois Pension Code. Specifies the dollar amount of the required employer contributions through 2022. Beginning in the year 2023, provides for the annual required contribution to be the amount determined by the Fund to be equal to the sum of (i) the employer's portion of the projected normal cost for that fiscal year, plus (ii) an amount that is sufficient to bring the total actuarial assets of the Fund up to 100% of the total actuarial liabilities of the Fund by the end of 2052. Provides that the contributions may be taken from any revenue source, including, but not limited to, other tax revenues, proceeds of borrowings, or State or federal funds. Amends the State Mandates Act to require implementation without reimbursement. Makes technical and other changes. Effective immediately.

LRB101 09373 RPS 54471 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 changing
5 Sections 9-169 and 10-107 as follows:

6 (40 ILCS 5/9-169) (from Ch. 108 1/2, par. 9-169)
7 Sec. 9-169. Financing - Tax levy.

8 (a) The county board shall levy a tax annually upon all
9 taxable property in the county at the rate that will produce a
10 sum which, when added to the amounts deducted from the salaries
11 of the employees or otherwise contributed by them is sufficient
12 for the requirements of this Article.

13 For the years before 1962 the tax rate shall be as provided
14 in "The 1925 Act". For the years 1962 and 1963 the tax rate
15 shall be not more than .0200 per cent; for the years 1964 and
16 1965 the tax rate shall be not more than .0202 per cent; for
17 the years 1966 and 1967 the tax rate shall be not more than
18 .0207 per cent; for the year 1968 the tax rate shall be not
19 more than .0220 per cent; for the year 1969 the tax rate shall
20 be not more than .0233 per cent; for the year 1970 the tax rate
21 shall be not more than .0255 per cent; for the year 1971 the
22 tax rate shall be not more than .0268 per cent of the value, as
23 equalized or assessed by the Department of Revenue upon all

1 taxable property in the county. Beginning with the year 1972
2 and for each year thereafter the county shall levy a tax
3 annually at a rate on the dollar of the value, as equalized or
4 assessed by the Department of Revenue of all taxable property
5 within the county that will produce, when extended, not to
6 exceed an amount equal to:

7 (1) the total amount of contributions made by the
8 employees to the fund in the calendar year 2 years prior to
9 the year for which the annual applicable tax is levied
10 multiplied by .8 for the years 1972 through 1976; by .8 for
11 the year 1977; by .87 for the year 1978; by .94 for the
12 year 1979; by 1.02 for the year 1980; ~~and~~ by 1.10 for the
13 year 1981; ~~and~~ by 1.18 for the year 1982; ~~and~~ by 1.36 for
14 the year 1983; ~~and~~ by 1.54 for the years year 1984 through
15 2018; and ~~for each year thereafter.~~

16 (2) for the year 2019 and for each year thereafter, the
17 amount of the county's required annual contribution to the
18 Fund as determined under this Article.

19 This tax shall be levied and collected in like manner with
20 the general taxes of the county, and shall be in addition to
21 all other taxes which the county is authorized to levy upon the
22 aggregate valuation of all taxable property within the county
23 and shall be exclusive of and in addition to the amount of tax
24 the county is authorized to levy for general purposes under any
25 laws which may limit the amount of tax which the county may
26 levy for general purposes. The county clerk, in reducing tax

1 levies under any Act concerning the levy and extension of
2 taxes, shall not consider this tax as a part of the general tax
3 levy for county purposes, and shall not include it within any
4 limitation of the per cent of the assessed valuation upon which
5 taxes are required to be extended for the county. It is lawful
6 to extend this tax in addition to the general county rate fixed
7 by statute, without being authorized as additional by a vote of
8 the people of the county.

9 Revenues derived from this tax shall be paid to the
10 treasurer of the county and held by him for the benefit of the
11 fund.

12 If the payments on account of taxes are insufficient during
13 any year to meet the requirements of this Article, the county
14 may issue tax anticipation warrants against the current tax
15 levy.

16 (a-5) Beginning in payment year 2019, the county's required
17 annual contribution to the Fund for payment years 2019 through
18 2022 shall be: for 2019, \$566,000,000; for 2020, \$577,000,000;
19 for 2021, \$588,000,000; and for 2022, \$599,000,000.

20 For payment years 2023 through 2052, the county's required
21 annual contribution to the Fund shall be the amount determined
22 by the Fund to be equal to the sum of (i) the county's portion
23 of the projected normal cost for that fiscal year, plus (ii) an
24 amount determined by the Fund that is sufficient to bring the
25 total actuarial assets of the Fund up to 100% of the total
26 actuarial liabilities of the Fund by the end of 2052.

1 For payment years after 2052, the county's required annual
2 contribution to the Fund shall be equal to the amount, if any,
3 needed to bring the total actuarial assets of the Fund up to
4 100% of the total actuarial liabilities of the Fund as of the
5 end of the year.

6 (b) By January 10, annually, the board shall notify the
7 county board of the requirement of this Article that this tax
8 shall be levied. The board shall make an annual determination
9 of the required county contributions, and shall certify the
10 results thereof to the county board.

11 (c) The various sums to be contributed by the county board
12 and allocated for the purposes of this Article and any interest
13 to be contributed by the county shall be taken from the revenue
14 derived from this tax or from any revenue source, including,
15 but not limited to, other tax revenue, proceeds of county
16 borrowings, or State or federal funds. ~~and no money of the~~
17 ~~county derived from any source other than the levy and~~
18 ~~collection of this tax or the sale of tax anticipation~~
19 ~~warrants, except state or federal funds contributed for annuity~~
20 ~~and benefit purposes for employees of a county department of~~
21 ~~public aid under "The Illinois Public Aid Code", approved April~~
22 ~~11, 1967, as now or hereafter amended, may be used to provide~~
23 ~~revenue for the fund.~~

24 If it is not possible or practicable for the county to make
25 contributions for age and service annuity and widow's annuity
26 concurrently with the employee contributions made for such

1 purposes, such county shall make such contributions as soon as
2 possible and practicable thereafter with interest thereon at
3 the effective rate until the time it shall be made.

4 (d) With respect to employees whose wages are funded as
5 participants under the Comprehensive Employment and Training
6 Act of 1973, as amended (P.L. 93-203, 87 Stat. 839, P.L.
7 93-567, 88 Stat. 1845), hereinafter referred to as CETA,
8 subsequent to October 1, 1978, and in instances where the board
9 has elected to establish a manpower program reserve, the board
10 shall compute the amounts necessary to be credited to the
11 manpower program reserves established and maintained as herein
12 provided, and shall make a periodic determination of the amount
13 of required contributions from the County to the reserve to be
14 reimbursed by the federal government in accordance with rules
15 and regulations established by the Secretary of the United
16 States Department of Labor or his designee, and certify the
17 results thereof to the County Board. Any such amounts shall
18 become a credit to the County and will be used to reduce the
19 amount which the County would otherwise contribute during
20 succeeding years for all employees.

21 (e) In lieu of establishing a manpower program reserve with
22 respect to employees whose wages are funded as participants
23 under the Comprehensive Employment and Training Act of 1973, as
24 authorized by subsection (d), the board may elect to establish
25 a special County contribution rate for all such employees. If
26 this option is elected, the County shall contribute to the Fund

1 from federal funds provided under the Comprehensive Employment
2 and Training Act program at the special rate so established and
3 such contributions shall become a credit to the County and be
4 used to reduce the amount which the County would otherwise
5 contribute during succeeding years for all employees.

6 (Source: P.A. 95-369, eff. 8-23-07.)

7 (40 ILCS 5/10-107) (from Ch. 108 1/2, par. 10-107)

8 Sec. 10-107. Financing - Tax levy.

9 (a) The forest preserve district may levy an annual tax on
10 the value, as equalized or assessed by the Department of
11 Revenue, of all taxable property in the district for the
12 purpose of providing revenue for the fund. The rate of such tax
13 in any year may not exceed the rate herein specified for that
14 year or the rate which will produce, when extended, the sum
15 herein stated for that year, whichever is higher: for any year
16 prior to 1970, .00103% or \$195,000; for the year 1970, .00111%
17 or \$210,000; for the year 1971, .00116% or \$220,000.

18 For the year 1972 and each year thereafter, the Forest
19 Preserve District shall levy a tax annually at a rate on the
20 dollar of the value, as equalized or assessed by the Department
21 of Revenue upon all taxable property in the county, when
22 extended, not to exceed an amount equal to:

23 (1) the total amount of contributions by the employees
24 to the fund made in the calendar year 2 years prior to the
25 year for which the annual applicable tax is levied,

1 multiplied by 1.25 for the year 1972; and by 1.30 for the
2 years year 1973 through 2018; and ~~for each year thereafter.~~

3 (2) for the year 2019 and for each year thereafter, the
4 amount of the Forest Preserve District's required annual
5 contribution to the Fund as determined under this Article.

6 ~~The tax shall be levied and collected in like manner with~~
7 ~~the general taxes of the district and shall be in addition to~~
8 ~~the maximum of all other tax rates which the district may levy~~
9 ~~upon the aggregate valuation of all taxable property and shall~~
10 ~~be exclusive of and in addition to the maximum amount and rate~~
11 ~~of taxes the district may levy for general purposes or under~~
12 ~~and by virtue of any laws which limit the amount of tax which~~
13 ~~the district may levy for general purposes. The county clerk of~~
14 ~~the county in which the forest preserve district is located in~~
15 ~~reducing tax levies under the provisions of "An Act concerning~~
16 ~~the levy and extension of taxes", approved May 9, 1901, as~~
17 ~~amended, shall not consider any such tax as a part of the~~
18 ~~general tax levy for forest preserve purposes, and shall not~~
19 ~~include the same in the limitation of 1% of the assessed~~
20 ~~valuation upon which taxes are required to be extended, and~~
21 ~~shall not reduce the same under the provisions of that Act. The~~
22 ~~proceeds of the tax herein authorized shall be kept as a~~
23 ~~separate fund.~~

24 (b) Beginning in payment year 2019, the Forest Preserve
25 District's required annual contribution to the Fund for payment
26 years 2019 through 2022 shall be: for 2019, \$5,500,000; for

1 2020, \$6,500,000; for 2021, \$7,500,000; and for 2022,
2 \$8,500,000.

3 For payment years 2023 through 2052, the Forest Preserve
4 District's required annual contribution to the Fund shall be
5 the amount determined by the Fund to be equal to the sum of (i)
6 the Forest Preserve District's portion of the projected normal
7 cost for that fiscal year, plus (ii) an amount determined by
8 the Fund that is sufficient to bring the total actuarial assets
9 of the Fund up to 100% of the total actuarial liabilities of
10 the Fund by the end of 2052.

11 For payment years after 2052, the Forest Preserve
12 District's required annual contribution to the Fund shall be
13 equal to the amount, if any, needed to bring the total
14 actuarial assets of the Fund up to 100% of the total actuarial
15 liabilities of the Fund as of the end of the year.

16 (c) The various sums to be contributed by the Forest
17 Preserve District and allocated for the purposes of this
18 Article and any interest to be contributed by the Forest
19 Preserve District shall be taken from the revenue derived from
20 the tax levied annually by the Forest Preserve District under
21 this Section or from any other revenue source, including, but
22 not limited to, other tax revenue, proceeds of borrowings, or
23 State or federal funds.

24 (d) The Board may establish a manpower program reserve, or
25 a special forest preserve district contribution rate, with
26 respect to employees whose wages are funded as program

1 participants under the Comprehensive Employment and Training
2 Act of 1973 in the manner provided in subsection (d) or (e),
3 respectively, of Section 9-169.

4 (Source: P.A. 81-1509.)

5 Section 90. The State Mandates Act is amended by adding
6 Section 8.43 as follows:

7 (30 ILCS 805/8.43 new)

8 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
9 of this Act, no reimbursement by the State is required for the
10 implementation of any mandate created by this amendatory Act of
11 the 101st General Assembly.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.