

SB1236



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1236

Introduced 2/6/2019, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-137.1

from Ch. 108 1/2, par. 7-137.1

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Provides that beginning on the effective date of the amendatory Act, a person who holds elective office as a member of a county board, notwithstanding whether he or she has not elected to participate in the Fund with respect to that office or has revoked his or her election to participate with respect to that office, shall be disqualified from receiving a retirement annuity until he or she no longer holds that elective office. Provides that the changes apply without regard to whether the person is in service on or after the effective date of the amendatory Act. Makes a conforming change.

LRB101 07184 RPS 52222 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 changing
5 Section 7-137.1 as follows:

6 (40 ILCS 5/7-137.1) (from Ch. 108 1/2, par. 7-137.1)

7 Sec. 7-137.1. Elected officials.

8 (a) A person holding an elective office who has elected to
9 participate in the Fund while in that office may revoke that
10 election and cease participating in the Fund by notifying the
11 Board in writing before January 1, 1992.

12 Upon such revocation, the person shall forfeit all
13 creditable service earned while holding that office, and the
14 Board shall refund to the person, without interest, all
15 employee contributions paid for the forfeited creditable
16 service. The Board shall also refund or credit to the employing
17 municipality, without interest, the employer contributions
18 relating to the forfeited service, except those for death and
19 disability.

20 (b) Except as otherwise provided in subsection (c) of this
21 Section, notwithstanding ~~Notwithstanding~~ the provisions of
22 Sections 7-141 and 7-144, beginning January 1, 1992, a person
23 who holds an elective office and has not elected to participate

1 in the Fund with respect to that office (or has revoked his
2 election to participate with respect to that office under
3 subsection (a) of this Section) shall not be disqualified from
4 receiving a retirement annuity by reason of holding such
5 office, provided that the annuity is not based on any credits
6 received for participating while holding that office.

7 (c) Beginning on the effective date of this amendatory Act
8 of the 101st General Assembly, a person who holds elective
9 office as a member of a county board, notwithstanding whether
10 he or she has not elected to participate in the Fund with
11 respect to that office or has revoked his or her election to
12 participate with respect to that office under subsection (a) of
13 this Section, shall be disqualified from receiving a retirement
14 annuity until he or she no longer holds that elective office.
15 Notwithstanding Section 1-103.1, the changes made by this
16 amendatory Act of the 101st General Assembly apply without
17 regard to whether the person is in service on or after the
18 effective date of this amendatory Act of the 101st General
19 Assembly.

20 (Source: P.A. 87-740.)