



Sen. Robert F. Martwick

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10200HB1859sam001

LRB102 11405 RPS 41647 a

1 AMENDMENT TO HOUSE BILL 1859

2 AMENDMENT NO. _____. Amend House Bill 1859 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 10-107 as follows:

6 (40 ILCS 5/10-107) (from Ch. 108 1/2, par. 10-107)

7 Sec. 10-107. Financing; tax levy ~~Financing Tax levy~~.

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

1 year 1972 and each year thereafter through levy year 2022, the
2 Forest Preserve District shall levy a tax annually at a rate on
3 the dollar of the value, as equalized or assessed by the
4 Department of Revenue upon all taxable property in the county,
5 when extended, not to exceed an amount equal to the total
6 amount of contributions by the employees to the fund made in
7 the calendar year 2 years prior to the year for which the
8 annual applicable tax is levied, multiplied by 1.25 for the
9 year 1972; and by 1.30 for the year 1973 and for each year
10 thereafter through levy year 2022. Beginning in levy year
11 2023, and in each levy year thereafter, the Forest Preserve
12 District shall levy a tax annually at a rate on the dollar of
13 the value, as equalized or assessed by the Department of
14 Revenue, of all taxable property within the county that will
15 produce, when extended, an amount equal to no less than the
16 amount of the Forest Preserve District's total required
17 contribution to the Fund for the next payment year, as
18 determined under subsection (b). For the purposes of this
19 Section, the payment year is the year immediately following
20 the levy year.

21 The tax shall be levied and collected in like manner with
22 the general taxes of the district and shall be in addition to
23 the maximum of all other tax rates which the district may levy
24 upon the aggregate valuation of all taxable property and shall
25 be exclusive of and in addition to the maximum amount and rate
26 of taxes the district may levy for general purposes or under

1 and by virtue of any laws which limit the amount of tax which
2 the district may levy for general purposes. The county clerk
3 of the county in which the forest preserve district is located
4 in reducing tax levies under the provisions of "An Act
5 concerning the levy and extension of taxes", approved May 9,
6 1901, as amended, shall not consider any such tax as a part of
7 the general tax levy for forest preserve purposes, and shall
8 not include the same in the limitation of 1% of the assessed
9 valuation upon which taxes are required to be extended, and
10 shall not reduce the same under the provisions of that Act. The
11 proceeds of the tax herein authorized shall be kept as a
12 separate fund.

13 The forest preserve district may use other lawfully
14 available funds in lieu of all or part of the levy.

15 The Board may establish a manpower program reserve, or a
16 special forest preserve district contribution rate, with
17 respect to employees whose wages are funded as program
18 participants under the Comprehensive Employment and Training
19 Act of 1973 in the manner provided in subsection (d) or (e),
20 respectively, of Section 9-169.

21 (b) (1) For payment years 2024 through 2054, the Forest
22 Preserve District's required annual contribution to the fund
23 shall be the minimum required employer contribution set forth
24 in paragraph (3) of this subsection (b).

25 (2) The Board shall retain an actuary who is a member in
26 good standing of the American Academy of Actuaries to produce

1 an annual actuarial report of the Fund. The annual actuarial
2 report shall include, but not be limited to: (i) a statement of
3 the actuarial value of the Fund's assets as projected over 30
4 years' time and the actuarial value of the Fund's liabilities
5 as projected over the same period of time; and (ii) the minimum
6 required employer contribution for the second year immediately
7 following the year ending on the valuation date upon which the
8 annual actuarial report is based. The annual actuarial report
9 shall be reviewed and formally adopted by the Board and may be
10 included in other annual reports.

11 (3) The minimum required employer contribution for a
12 specified year as set forth in the annual actuarial report
13 required under paragraph (2) shall be the amount determined by
14 the Fund's actuary to be equal to the sum of: (i) the projected
15 normal cost for pensions for that fiscal year, plus (ii) a
16 projected unfunded actuarial accrued liability amortization
17 payment for pensions for the fiscal year, plus (iii) projected
18 expenses for that fiscal year, plus (iv) interest to adjust
19 for payment pattern during the fiscal year, minus (v)
20 projected employee contributions for that fiscal year. The
21 Forest Preserve District's required annual contribution to the
22 Fund shall not be less than the sum of: (i) the projected
23 normal cost for pensions for that fiscal year, plus (ii) a
24 projected unfunded actuarial accrued liability amortization
25 payment for pensions for the fiscal year, plus (iii) projected
26 expenses for that fiscal year, plus (iv) interest to adjust

1 for payment pattern during the fiscal year, minus (v)
2 projected employee contributions for that fiscal year. The
3 minimum required employer contribution shall be based on the
4 entry age normal cost method, a 5-year smoothed actuarial
5 value of assets, and a 30-year layered amortization of
6 unfunded actuarial accrued liability with payments increasing
7 at 2% per year. The unfunded actuarial accrued liability
8 payment schedule shall be based on the schedule initially
9 established in 2016 and ending in 2046.

10 The minimum required employer contribution shall be
11 submitted annually by the Forest Preserve District on or
12 before July 31 unless another time frame is agreed upon by the
13 Forest Preserve District and the Fund. The methods provided in
14 this Section may be amended as recommended by an independent
15 actuary engaged by the Fund and in compliance with actuarial
16 standards of practice and as adopted by an affirmative vote of
17 a simple majority of the Board and the Forest Preserve
18 District Board of Commissioners.

19 (4) For payment years after 2055, the Forest Preserve
20 District's required annual contribution to the Fund shall be
21 equal to the amount, if any, needed to bring the total
22 actuarial assets of the Fund up to 100% of the total actuarial
23 liabilities of the Fund by the end of the year.

24 (5) To the extent that the Forest Preserve District's
25 contribution for any of the payment years referenced in this
26 subsection (b) is made with property taxes, those property

1 taxes shall be levied, collected, and paid to the Fund in a
2 like manner with the general taxes of the Forest Preserve
3 District.

4 (Source: P.A. 102-210, eff. 1-1-22.)

5 Section 90. The State Mandates Act is amended by adding
6 Section 8.46 as follows:

7 (30 ILCS 805/8.46 new)

8 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
9 8 of this Act, no reimbursement by the State is required for
10 the implementation of any mandate created by this amendatory
11 Act of the 102nd General Assembly.

12 Section 99. Effective date. This Act takes effect June 1,
13 2023.".