



Sen. Robert F. Martwick

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10200SB2103sam004

LRB102 12567 SMS 26113 a

1 AMENDMENT TO SENATE BILL 2103

2 AMENDMENT NO. _____. Amend Senate Bill 2103, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 3, on page 1, by replacing "24-104" with "24-102"; and

5 on page 3, line 1, by replacing "July 1, 2022" with "July 1,
6 2023"; and

7 by replacing line 19 on page 7 through line 24 on page 8 with
8 the following:

9 "(40 ILCS 5/24-102) (from Ch. 108 1/2, par. 24-102)

10 Sec. 24-102. As used in this Article, "employee" means any
11 person, including a person elected, appointed or under
12 contract, receiving compensation from the State or a unit of
13 local government or school district for personal services
14 rendered, including salaried persons. However, "employee", for
15 the purposes of the State Employees Deferred Compensation Plan

1 established under Section 24-104, does not include a person
2 employed by an employer under Section 15-106 who first becomes
3 a participant of the retirement system under Article 15 on or
4 after July 1, 2023 unless the person has made an election to
5 defer compensation into the State Employees Deferred
6 Compensation Plan under a written agreement and the deferral
7 election is in effect as of June 30, 2023. A health care
8 provider who elects to participate in the State Employees
9 Deferred Compensation Plan established under Section 24-104 of
10 this Code shall, for purposes of that participation, be deemed
11 an "employee" as defined in this Section.

12 As used in this Article, "health care provider" means a
13 dentist, physician, optometrist, pharmacist, or podiatric
14 physician that participates and receives compensation as a
15 provider under the Illinois Public Aid Code, the Children's
16 Health Insurance Act, or the Covering ALL KIDS Health
17 Insurance Act.

18 As used in this Article, "compensation" includes
19 compensation received in a lump sum for accumulated unused
20 vacation, personal leave or sick leave, with the exception of
21 health care providers. "Compensation" with respect to health
22 care providers is defined under the Illinois Public Aid Code,
23 the Children's Health Insurance Act, or the Covering ALL KIDS
24 Health Insurance Act.

25 Where applicable, in no event shall the total of the
26 amount of deferred compensation of an employee set aside in

1 relation to a particular year under the Illinois State
2 Employees Deferred Compensation Plan and the employee's
3 nondeferred compensation for that year exceed the total annual
4 salary or compensation under the existing salary schedule or
5 classification plan applicable to such employee in such year;
6 except that any compensation received in a lump sum for
7 accumulated unused vacation, personal leave or sick leave
8 shall not be included in the calculation of such totals.

9 (Source: P.A. 98-214, eff. 8-9-13.)".