



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### SB2473

Introduced 2/26/2021, by Sen. Ram Villivalam

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/8-165 from Ch. 108 1/2, par. 8-165  
40 ILCS 5/8-180.3 new  
40 ILCS 5/8-180.4 new  
30 ILCS 805/8.45 new

Amends the Chicago Municipal Article of the Illinois Pension Code. Provides that for school years beginning on or after July 1, 2021, an age and service or prior service annuity shall not be cancelled in the case of an employee who is re-employed by the Board of Education of the city as a Special Education Classroom Assistant or Classroom Assistant on a temporary and non-annual basis or on an hourly basis if the employee: does not work for compensation on more than 120 days in a school year; or does not accept gross compensation for the re-employment in a school year in excess of \$30,000. Provides that an employee of the Board of Education of the city, regardless of his or her position, may establish service credit in the Fund for employment with the Metropolitan Pier and Exposition Authority or part-time employment with the Board of Education of the city prior to becoming an employee by applying and paying a specified amount to the Fund. Provides that service credit shall not be granted for prior employment for which the applicant received credit under any other provision of the Code or during which the applicant was on a leave of absence. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2021.

LRB102 16236 RPS 21616 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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  
5 changing Section 8-165 and by adding Sections 8-180.3 and  
6 8-180.4 as follows:

7 (40 ILCS 5/8-165) (from Ch. 108 1/2, par. 8-165)

8 Sec. 8-165. Re-entry into service.

9 (a) Except as provided in subsection (c), when ~~When~~ an  
10 employee receiving age and service or prior service annuity  
11 who has withdrawn from service after the effective date  
12 re-enters service before age 65, any annuity previously  
13 granted and any annuity fixed for his wife shall be cancelled.  
14 The employee shall be credited for annuity purposes with sums  
15 sufficient to provide annuities equal to those cancelled, as  
16 of their ages on the date of re-entry; provided, the maximum  
17 age of the wife for this purpose shall be as provided in  
18 Section 8-155 of this Article.

19 The sums so credited shall provide for annuities to be  
20 fixed and granted in the future. Contributions by the  
21 employees and the city for the purposes of this Article shall  
22 be made, and when the proper time arrives, as provided in this  
23 Article, new annuities based upon the total credit for annuity

1 purposes and the entire term of his service shall be fixed for  
2 the employee and his wife.

3 If the employee's wife died before he re-entered service,  
4 no part of any credits for widow's or widow's prior service  
5 annuity at the time annuity for his wife was fixed shall be  
6 credited upon re-entry into service, and no such sums shall  
7 thereafter be used to provide such annuity.

8 (b) Except as provided in subsection (c), when ~~When~~ an  
9 employee re-enters service after age 65, payments on account  
10 of any annuity previously granted shall be suspended during  
11 the time thereafter that he is in service, and when he again  
12 withdraws, annuity payments shall be resumed. If the employee  
13 dies in service, his widow shall receive the amount of annuity  
14 previously fixed for her.

15 (c) For school years beginning on or after July 1, 2021, an  
16 age and service or prior service annuity shall not be  
17 cancelled in the case of an employee who is re-employed by the  
18 Board of Education of the city as a Special Education  
19 Classroom Assistant or Classroom Assistant on a temporary and  
20 non-annual basis or on an hourly basis so long as the person:  
21 (1) does not work for compensation on more than 120 days in a  
22 school year; or (2) does not accept gross compensation for the  
23 re-employment in a school year in excess of \$30,000. These  
24 limitations apply only to school years that begin on or after  
25 July 1, 2021. Re-employment under this subsection does not  
26 require contributions, result in service credit being earned

1 or granted, or constitute active participation in the Fund.

2 (Source: P.A. 81-1536.)

3 (40 ILCS 5/8-180.3 new)

4 Sec. 8-180.3. Credit for service as a part-time employee  
5 of the Board of Education of the city. An employee of the Board  
6 of Education of the city, regardless of his or her position,  
7 may establish service credit in the Fund for part-time  
8 employment with the Board of Education of the city prior to  
9 becoming an employee by applying and paying to the Fund for  
10 that employment an amount equal to the (1) employee  
11 contributions based on the actual compensation received and  
12 the rate of contribution in effect on the date of payment; plus  
13 (2) an amount representing employer contributions determined  
14 by the retirement board; plus (3) interest at the effective  
15 rate from the date of service to the date of payment. However,  
16 service credit shall not be granted under this Section for any  
17 such prior employment for which the applicant received credit  
18 under any other provision of this Code or during which the  
19 applicant was on a leave of absence.

20 (40 ILCS 5/8-180.4 new)

21 Sec. 8-180.4. Credit for service as an employee of the  
22 Metropolitan Pier and Exposition Authority. An employee of the  
23 Board of Education of the city, regardless of his or her  
24 position, may establish service credit in the Fund for

1 employment with the Metropolitan Pier and Exposition Authority  
2 prior to becoming an employee by applying and paying to the  
3 Fund for that employment an amount equal to the (1) employee  
4 contributions based on the actual compensation received and  
5 the rate of contribution in effect on the date of payment; plus  
6 (2) an amount representing employer contributions determined  
7 by the retirement board; plus (3) interest at the effective  
8 rate from the date of service to the date of payment. However,  
9 service credit shall not be granted under this Section for any  
10 such prior employment for which the applicant received credit  
11 under any other provision of this Code or during which the  
12 applicant was on a leave of absence.

13 Section 90. The State Mandates Act is amended by adding  
14 Section 8.45 as follows:

15 (30 ILCS 805/8.45 new)

16 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and  
17 8 of this Act, no reimbursement by the State is required for  
18 the implementation of any mandate created by this amendatory  
19 Act of the 102nd General Assembly.

20 Section 99. Effective date. This Act takes effect July 1,  
21 2021.