



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3201

Introduced 1/14/2022, by Sen. Napoleon Harris, III

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/16-118

from Ch. 108 1/2, par. 16-118

Amends the Downstate Teacher Article of the Illinois Pension Code. Provides that beginning July 1, 2021 through June 30, 2023, an annuitant may accept employment as a teacher without impairing his or her retirement status if that employment is not within the school year during which service was terminated and does not exceed 150 paid days (instead of 120 paid days) or 750 paid hours (instead of 600 paid hours) in each school year. Provides that beginning July 1, 2023, an annuitant may accept employment as a teacher without impairing his or her retirement status if that employment is not within the school year during which service was terminated and does not exceed 120 paid days (instead of 100 paid days) or 600 paid hours (instead of 500 paid hours) in each school year. Makes a conforming change. Effective immediately.

LRB102 23460 RPS 32635 b

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 16-118 as follows:

6 (40 ILCS 5/16-118) (from Ch. 108 1/2, par. 16-118)

7 Sec. 16-118. Retirement. "Retirement": Entry upon a  
8 retirement annuity or receipt of a single-sum retirement  
9 benefit granted under this Article after termination of active  
10 service as a teacher.

11 (a) An annuitant receiving a retirement annuity other than  
12 a disability retirement annuity may accept employment as a  
13 teacher from a school board or other employer specified in  
14 Section 16-106 without impairing retirement status, if that  
15 employment:

16 (1) is not within the school year during which service  
17 was terminated; and

18 (2) does not exceed the following:

19 (i) before July 1, 2001, 100 paid days or 500 paid  
20 hours in any school year;

21 (ii) during the period beginning July 1, 2001  
22 through June 30, 2011, 120 paid days or 600 paid hours  
23 in each school year;

1 (iii) during the period beginning July 1, 2011  
2 through June 30, 2018, 100 paid days or 500 paid hours  
3 in each school year;

4 (iv) beginning July 1, 2018 through June 30, 2021  
5 ~~2023~~, 120 paid days or 600 paid hours in each school  
6 year, but not more than 100 paid days in the same  
7 classroom; ~~and~~

8 (v) beginning July 1, 2021 through June 30, 2023,  
9 150 paid days or 750 paid hours in each school year,  
10 but not more than 100 paid days in the same classroom;  
11 and

12 (vi) beginning July 1, 2023, 120 ~~100~~ paid days or  
13 600 ~~500~~ paid hours in each school year.

14 Where such permitted employment is partly on a daily and  
15 partly on an hourly basis, a day shall be considered as 5  
16 hours.

17 (b) Subsection (a) does not apply to an annuitant who  
18 returns to teaching under the program established in Section  
19 16-150.1, for the duration of his or her participation in that  
20 program.

21 (Source: P.A. 101-645, eff. 6-26-20; 102-537, eff. 8-20-21.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.