



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4068

Introduced 5/4/2023, by Rep. Kevin Schmidt - Dave Severin - Dan Swanson - David Friess, Travis Weaver, et al.

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 through June 30, 2026 (instead of 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 120 paid days or 600 paid hours in each school year. Deletes language concerning an additional 20 days or 100 paid hours that an annuitant may accept employment as a teacher without impairing his or her retirement status for the period between July 1, 2021 and June 30, 2022. Effective immediately.

LRB103 31981 RPS 60774 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, 2026
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;

8 (v) (blank); and ~~during the period between July 1,~~
9 ~~2021 and June 30, 2022, an additional 20 paid days or~~
10 ~~100 paid hours shall be added to item (iv) of this~~
11 ~~paragraph (2) to assist with addressing the substitute~~
12 ~~teacher shortage that has been exacerbated by the~~
13 ~~ongoing global pandemic; and~~

14 (vi) beginning July 1, 2026 ~~2023~~, 100 paid days or
15 500 paid hours in each school year.

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

19 (b) Subsection (a) does not apply to an annuitant who
20 returns to teaching under the program established in Section
21 16-150.1, for the duration of his or her participation in that
22 program.

23 (Source: P.A. 101-645, eff. 6-26-20; 102-537, eff. 8-20-21;
24 102-709, eff. 4-22-22.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.