



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2255

Introduced 2/10/2023, by Sen. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/16-155

from Ch. 108 1/2, par. 16-155

Amends the Downstate Teacher Article of the Illinois Pension Code. Provides that the employer (instead of the governing body of the employer) shall submit to the System all required reports and contributions for salary paid during any month by the 10th of the following month. Provides that all required contributions for salary earned during a school term are due by the July 10 following the close of the school term. Removes provisions requiring the governing board of each school district to make 2 specified deposits each month. Provides that if an employer (instead of the governing body of an employer) that is not a State agency fails to forward certain required contributions within the time permitted, the System shall notify the employer of an amount (instead of an additional amount) due, equal to \$50 per day for each day that elapses from the due date until the day such report and contributions (instead of employee contributions) are received by the System. Makes conforming changes.

LRB103 28889 RPS 55275 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 16-155 as follows:

6 (40 ILCS 5/16-155) (from Ch. 108 1/2, par. 16-155)

7 Sec. 16-155. Report to system and payment of deductions.

8 (a) The employer ~~governing body of each school district~~  
9 shall submit to the System all required reports and ~~make two~~  
10 ~~deposits each month. The deposit for member contributions for~~  
11 salary paid during any ~~between the first and the fifteenth of~~  
12 ~~the month is due~~ by the 10th ~~25th~~ of the following month.  
13 Additionally, all ~~The deposit of member contributions for~~  
14 ~~salary paid between the sixteenth and last day of the month is~~  
15 ~~due by the 10th of the following month. All required~~  
16 contributions for salary earned during a school term are due  
17 by July 10 ~~next~~ following the close of such school term.

18 The governing body of each State institution coming under  
19 this retirement system, the State Comptroller or other State  
20 officer certifying payroll vouchers including payments of  
21 salary or wages to teachers, and any other employer of  
22 teachers, shall, monthly, forward to the secretary of the  
23 retirement system the member contributions required under this

1 Article.

2 Each employer specified above shall, prior to August 15 of  
3 each year, forward to the System a detailed statement,  
4 verified in all cases of school districts by the secretary or  
5 clerk of the district, of the amounts so contributed since the  
6 period covered by the last previous annual statement, together  
7 with required contributions not yet forwarded, such payments  
8 being payable to the System.

9 The board may prescribe rules governing the form, content,  
10 investigation, control, and supervision of such statements and  
11 may establish additional interim employer reporting  
12 requirements as the Board deems necessary. If no teacher in a  
13 school district comes under the provisions of this Article,  
14 the governing body of the district shall so state under the  
15 oath of its secretary to this system, and shall at the same  
16 time forward a copy of the statement to the regional  
17 superintendent of schools.

18 The board may also require reporting requirements that are  
19 different than those prescribed in this Section and may  
20 require different reporting requirements for different  
21 benefits or purposes established under this Article,  
22 including, but not limited to, any optional benefit plan an  
23 employee chooses to participate in.

24 (b) If ~~the governing body of~~ an employer that is not a  
25 State agency fails to forward such required contributions  
26 within the time permitted in subsection (a) above, the System

1 shall notify the employer of an ~~additional~~ amount due, equal  
2 to \$50 per day for each day that elapses from the due date  
3 until the day such report and ~~employee~~ contributions are  
4 received by the System.

5 (c) If the system, on August 15, is not in receipt of the  
6 detailed statements required under this Section of any school  
7 district or other employing unit, such school district or  
8 other employing unit shall pay to the system an amount equal to  
9 \$250 for each day that elapses from August 15, until the day  
10 such statement is filed with the system.

11 (Source: P.A. 101-502, eff. 8-23-19.)