



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Bill Mitchell

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-137.1

from Ch. 108 1/2, par. 7-137.1

Amends the Municipal Retirement Fund (IMRF) Article of the Pension Code to allow appointed sanitary district trustees to elect to cease participating in the Fund with respect to that office. Allows nonparticipating trustees to receive a retirement annuity from the Fund while still serving as trustees. Effective immediately.

LRB093 15013 LRD 40584 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT in relation to 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 changing
5 Section 7-137.1 as follows:

6 (40 ILCS 5/7-137.1) (from Ch. 108 1/2, par. 7-137.1)

7 Sec. 7-137.1. Elected officials and appointed sanitary
8 district trustees.

9 (a) A person holding an elective office who has elected to
10 participate in the Fund while in that office may revoke that
11 election and cease participating in the Fund by notifying the
12 Board in writing before January 1, 1992.

13 Upon such revocation, the person shall forfeit all
14 creditable service earned while holding that office, and the
15 Board shall refund to the person, without interest, all
16 employee contributions paid for the forfeited creditable
17 service. The Board shall also refund or credit to the employing
18 municipality, without interest, the employer contributions
19 relating to the forfeited service, except those for death and
20 disability.

21 (b) Notwithstanding the provisions of Sections 7-141 and
22 7-144, beginning January 1, 1992, a person who holds an
23 elective office and has not elected to participate in the Fund
24 with respect to that office (or has revoked his election to
25 participate with respect to that office under subsection (a) of
26 this Section) shall not be disqualified from receiving a
27 retirement annuity by reason of holding such office, provided
28 that the annuity is not based on any credits received for
29 participating while holding that office.

30 (c) An appointed sanitary district trustee may elect, at
31 any time while holding that office, to cease participating in
32 the Fund with respect to that office.

1 Upon making that election, the trustee shall forfeit all
2 creditable service earned for holding that office, and the
3 Board shall refund to the trustee, without interest, all
4 employee contributions paid for the forfeited creditable
5 service. The Board shall also refund or credit to the employing
6 municipality, without interest, the employer contributions
7 relating to the forfeited service, except those for death and
8 disability.

9 Notwithstanding the provisions of Sections 7-141 and
10 7-144, an appointed sanitary district trustee who has elected
11 to cease participating in the Fund with respect to that office
12 shall not be disqualified from receiving a retirement annuity
13 by reason of holding that office, provided that the annuity is
14 not based on any credits received for service in that office.

15 (Source: P.A. 87-740.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.