



Sen. John J. Cullerton

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09600HB0543sam001

LRB096 04127 HLH 41446 a

1 AMENDMENT TO HOUSE BILL 543

2 AMENDMENT NO. _____. Amend House Bill 543 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 14.1 as follows:

6 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

7 Sec. 14.1. Appropriations for State contributions to the
8 State Employees' Retirement System; payroll requirements.

9 (a) Appropriations for State contributions to the State
10 Employees' Retirement System of Illinois shall be expended in
11 the manner provided in this Section. Except as otherwise
12 provided in subsections (a-1) and (a-2), at the time of each
13 payment of salary to an employee under the personal services
14 line item, payment shall be made to the State Employees'
15 Retirement System, from the amount appropriated for State
16 contributions to the State Employees' Retirement System, of an

1 amount calculated at the rate certified for the applicable
2 fiscal year by the Board of Trustees of the State Employees'
3 Retirement System under Section 14-135.08 of the Illinois
4 Pension Code. If a line item appropriation to an employer for
5 this purpose is exhausted or is unavailable due to any
6 limitation on appropriations that may apply, (including, but
7 not limited to, limitations on appropriations from the Road
8 Fund under Section 8.3 of the State Finance Act), the amounts
9 shall be paid under the continuing appropriation for this
10 purpose contained in the State Pension Funds Continuing
11 Appropriation Act.

12 (a-1) Beginning on the effective date of this amendatory
13 Act of the 93rd General Assembly through the payment of the
14 final payroll from fiscal year 2004 appropriations,
15 appropriations for State contributions to the State Employees'
16 Retirement System of Illinois shall be expended in the manner
17 provided in this subsection (a-1). At the time of each payment
18 of salary to an employee under the personal services line item
19 from a fund other than the General Revenue Fund, payment shall
20 be made for deposit into the General Revenue Fund from the
21 amount appropriated for State contributions to the State
22 Employees' Retirement System of an amount calculated at the
23 rate certified for fiscal year 2004 by the Board of Trustees of
24 the State Employees' Retirement System under Section 14-135.08
25 of the Illinois Pension Code. This payment shall be made to the
26 extent that a line item appropriation to an employer for this

1 purpose is available or unexhausted. No payment from
2 appropriations for State contributions shall be made in
3 conjunction with payment of salary to an employee under the
4 personal services line item from the General Revenue Fund.

5 (a-2) For fiscal year 2010 only, at the time of each
6 payment of salary to an employee under the personal services
7 line item from a fund other than the General Revenue Fund,
8 payment shall be made for deposit into the State Employees'
9 Retirement System of Illinois from the amount appropriated for
10 State contributions to the State Employees' Retirement System
11 of Illinois of an amount calculated at the rate certified for
12 fiscal year 2010 by the Board of Trustees of the State
13 Employees' Retirement System of Illinois under Section
14 14-135.08 of the Illinois Pension Code. This payment shall be
15 made to the extent that a line item appropriation to an
16 employer for this purpose is available or unexhausted. For
17 fiscal year 2010 only, no payment from appropriations for State
18 contributions shall be made in conjunction with payment of
19 salary to an employee under the personal services line item
20 from the General Revenue Fund.

21 (a-3) For fiscal year 2011 only, at the time of each
22 payment of salary to an employee under the personal services
23 line item from a fund other than the General Revenue Fund,
24 payment shall be made for deposit into the State Employees'
25 Retirement System of Illinois from the amount appropriated for
26 State contributions to the State Employees' Retirement System

1 of Illinois of an amount calculated at the rate certified for
2 fiscal year 2011 by the Board of Trustees of the State
3 Employees' Retirement System of Illinois under Section
4 14-135.08 of the Illinois Pension Code. This payment shall be
5 made to the extent that a line item appropriation to an
6 employer for this purpose is available or unexhausted. For
7 fiscal year 2011 only, no payment from appropriations for State
8 contributions shall be made in conjunction with payment of
9 salary to an employee under the personal services line item
10 from the General Revenue Fund until the Governor makes the
11 certification provided in Section 1.8 of the State Pension
12 Funds Continuing Appropriation Act.

13 (b) Except during the period beginning on the effective
14 date of this amendatory Act of the 93rd General Assembly and
15 ending at the time of the payment of the final payroll from
16 fiscal year 2004 appropriations, the State Comptroller shall
17 not approve for payment any payroll voucher that (1) includes
18 payments of salary to eligible employees in the State
19 Employees' Retirement System of Illinois and (2) does not
20 include the corresponding payment of State contributions to
21 that retirement system at the full rate certified under Section
22 14-135.08 for that fiscal year for eligible employees, unless
23 the balance in the fund on which the payroll voucher is drawn
24 is insufficient to pay the total payroll voucher, or
25 unavailable due to any limitation on appropriations that may
26 apply, including, but not limited to, limitations on

1 appropriations from the Road Fund under Section 8.3 of the
2 State Finance Act. If the State Comptroller approves a payroll
3 voucher under this Section for which the fund balance is
4 insufficient to pay the full amount of the required State
5 contribution to the State Employees' Retirement System, the
6 Comptroller shall promptly so notify the Retirement System.

7 (b-1) For fiscal year 2010 only, the State Comptroller
8 shall not approve for payment any non-General Revenue Fund
9 payroll voucher that (1) includes payments of salary to
10 eligible employees in the State Employees' Retirement System of
11 Illinois and (2) does not include the corresponding payment of
12 State contributions to that retirement system at the full rate
13 certified under Section 14-135.08 for that fiscal year for
14 eligible employees, unless the balance in the fund on which the
15 payroll voucher is drawn is insufficient to pay the total
16 payroll voucher, or unavailable due to any limitation on
17 appropriations that may apply, including, but not limited to,
18 limitations on appropriations from the Road Fund under Section
19 8.3 of the State Finance Act. If the State Comptroller approves
20 a payroll voucher under this Section for which the fund balance
21 is insufficient to pay the full amount of the required State
22 contribution to the State Employees' Retirement System of
23 Illinois, the Comptroller shall promptly so notify the
24 retirement system.

25 (c) Notwithstanding any other provisions of law, beginning
26 July 1, 2007, required State and employee contributions to the

1 State Employees' Retirement System of Illinois relating to
2 affected legislative staff employees shall be paid out of
3 moneys appropriated for that purpose to the Commission on
4 Government Forecasting and Accountability, rather than out of
5 the lump-sum appropriations otherwise made for the payroll and
6 other costs of those employees.

7 These payments must be made pursuant to payroll vouchers
8 submitted by the employing entity as part of the regular
9 payroll voucher process.

10 For the purpose of this subsection, "affected legislative
11 staff employees" means legislative staff employees paid out of
12 lump-sum appropriations made to the General Assembly, an
13 Officer of the General Assembly, or the Senate Operations
14 Commission, but does not include district-office staff or
15 employees of legislative support services agencies.

16 (Source: P.A. 95-707, eff. 1-11-08; 96-45, eff. 7-15-09.)

17 Section 10. The State Pension Funds Continuing
18 Appropriation Act is amended by adding Section 1.8 as follows:

19 (40 ILCS 15/1.8 new)

20 Sec. 1.8. Suspension of appropriations for FY 2011.
21 Notwithstanding any other provision of this Act, no
22 appropriation otherwise required from the General Revenue Fund
23 or the Common School Fund under this Act is required to be made
24 until the Governor certifies to the Comptroller that adequate

1 funds are available for the purpose of making the continuing
2 appropriation.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".