



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3545

Introduced 2/8/2012, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

25 ILCS 115/4

from Ch. 63, par. 15.1

30 ILCS 105/6z-93 new

Amends the General Assembly Compensation Act and the State Finance Act. Provides, in both Acts, that, beginning in State fiscal year 2012, any amount that is appropriated in a fiscal year to provide office allowances for General Assembly members and that remains unexpended at the end of the lapse period shall be used by the Comptroller to pay the past due operating debt of the State. Effective immediately.

LRB097 19821 JDS 65095 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The General Assembly Compensation Act is amended
5 by changing Section 4 as follows:

6 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

7 Sec. 4. Office allowance. Beginning July 1, 2001, each
8 member of the House of Representatives is authorized to approve
9 the expenditure of not more than \$61,000 per year and each
10 member of the Senate is authorized to approve the expenditure
11 of not more than \$73,000 per year to pay for "personal
12 services", "contractual services", "commodities", "printing",
13 "travel", "operation of automotive equipment",
14 "telecommunications services", as defined in the State Finance
15 Act, and the compensation of one or more legislative assistants
16 authorized pursuant to this Section, in connection with his or
17 her legislative duties and not in connection with any political
18 campaign. On July 1, 2002 and on July 1 of each year
19 thereafter, the amount authorized per year under this Section
20 for each member of the Senate and each member of the House of
21 Representatives shall be increased by a percentage increase
22 equivalent to the lesser of (i) the increase in the designated
23 cost of living index or (ii) 5%. The designated cost of living

1 index is the index known as the "Employment Cost Index, Wages
2 and Salaries, By Occupation and Industry Groups: State and
3 Local Government Workers: Public Administration" as published
4 by the Bureau of Labor Statistics of the U.S. Department of
5 Labor for the calendar year immediately preceding the year of
6 the respective July 1st increase date. The increase shall be
7 added to the then current amount, and the adjusted amount so
8 determined shall be the annual amount beginning July 1 of the
9 increase year until July 1 of the next year. No increase under
10 this provision shall be less than zero.

11 A member may purchase office equipment if the member
12 certifies to the Secretary of the Senate or the Clerk of the
13 House, as applicable, that the purchase price, whether paid in
14 lump sum or installments, amounts to less than would be charged
15 for renting or leasing the equipment over its anticipated
16 useful life. All such equipment must be purchased through the
17 Secretary of the Senate or the Clerk of the House, as
18 applicable, for proper identification and verification of
19 purchase.

20 Each member of the General Assembly is authorized to employ
21 one or more legislative assistants, who shall be solely under
22 the direction and control of that member, for the purpose of
23 assisting the member in the performance of his or her official
24 duties. A legislative assistant may be employed pursuant to
25 this Section as a full-time employee, part-time employee, or
26 contractual employee, at the discretion of the member. If

1 employed as a State employee, a legislative assistant shall
2 receive employment benefits on the same terms and conditions
3 that apply to other employees of the General Assembly. Each
4 member shall adopt and implement personnel policies for
5 legislative assistants under his or her direction and control
6 relating to work time requirements, documentation for
7 reimbursement for travel on official State business,
8 compensation, and the earning and accrual of State benefits for
9 those legislative assistants who may be eligible to receive
10 those benefits. The policies shall also require legislative
11 assistants to periodically submit time sheets documenting, in
12 quarter-hour increments, the time spent each day on official
13 State business. The policies shall require the time sheets to
14 be submitted on paper, electronically, or both and to be
15 maintained in either paper or electronic format by the
16 applicable fiscal office for a period of at least 2 years.
17 Contractual employees may satisfy the time sheets requirement
18 by complying with the terms of their contract, which shall
19 provide for a means of compliance with this requirement. A
20 member may satisfy the requirements of this paragraph by
21 adopting and implementing the personnel policies promulgated
22 by that member's legislative leader under the State Officials
23 and Employees Ethics Act with respect to that member's
24 legislative assistants.

25 As used in this Section the term "personal services" shall
26 include contributions of the State under the Federal Insurance

1 Contribution Act and under Article 14 of the Illinois Pension
2 Code. As used in this Section the term "contractual services"
3 shall not include improvements to real property unless those
4 improvements are the obligation of the lessee under the lease
5 agreement. Beginning July 1, 1989, as used in the Section, the
6 term "travel" shall be limited to travel in connection with a
7 member's legislative duties and not in connection with any
8 political campaign. Beginning on the effective date of this
9 amendatory Act of the 93rd General Assembly, as used in this
10 Section, the term "printing" includes, but is not limited to,
11 newsletters, brochures, certificates, congratulatory mailings,
12 greeting or welcome messages, anniversary or birthday cards,
13 and congratulations for prominent achievement cards. As used in
14 this Section, the term "printing" includes fees for
15 non-substantive resolutions charged by the Clerk of the House
16 of Representatives under subsection (c-5) of Section 1 of the
17 Legislative Materials Act. No newsletter or brochure that is
18 paid for, in whole or in part, with funds provided under this
19 Section may be printed or mailed during a period beginning
20 February 1 of the year of a general primary election and ending
21 the day after the general primary election and during a period
22 beginning September 1 of the year of a general election and
23 ending the day after the general election, except that such a
24 newsletter or brochure may be mailed during those times if it
25 is mailed to a constituent in response to that constituent's
26 inquiry concerning the needs of that constituent or questions

1 raised by that constituent. Nothing in this Section shall be
2 construed to authorize expenditures for lodging and meals while
3 a member is in attendance at sessions of the General Assembly.

4 Any utility bill for service provided to a member's
5 district office for a period including portions of 2
6 consecutive fiscal years may be paid from funds appropriated
7 for such expenditure in either fiscal year.

8 If a vacancy occurs in the office of Senator or
9 Representative in the General Assembly, any office equipment in
10 the possession of the vacating member shall transfer to the
11 member's successor; if the successor does not want such
12 equipment, it shall be transferred to the Secretary of the
13 Senate or Clerk of the House of Representatives, as the case
14 may be, and if not wanted by other members of the General
15 Assembly then to the Department of Central Management Services
16 for treatment as surplus property under the State Property
17 Control Act. Each member, on or before June 30th of each year,
18 shall conduct an inventory of all equipment purchased pursuant
19 to this Act. Such inventory shall be filed with the Secretary
20 of the Senate or the Clerk of the House, as the case may be.
21 Whenever a vacancy occurs, the Secretary of the Senate or the
22 Clerk of the House, as the case may be, shall conduct an
23 inventory of equipment purchased.

24 In the event that a member leaves office during his or her
25 term, any unexpended or unobligated portion of the allowance
26 granted under this Section shall lapse. The vacating member's

1 successor shall be granted an allowance in an amount, rounded
2 to the nearest dollar, computed by dividing the annual
3 allowance by 365 and multiplying the quotient by the number of
4 days remaining in the fiscal year.

5 From any appropriation for the purposes of this Section for
6 a fiscal year which overlaps 2 General Assemblies, no more than
7 1/2 of the annual allowance per member may be spent or
8 encumbered by any member of either the outgoing or incoming
9 General Assembly, except that any member of the incoming
10 General Assembly who was a member of the outgoing General
11 Assembly may encumber or spend any portion of his annual
12 allowance within the fiscal year.

13 The appropriation for the annual allowances permitted by
14 this Section shall be included in an appropriation to the
15 President of the Senate and to the Speaker of the House of
16 Representatives for their respective members. The President of
17 the Senate and the Speaker of the House shall voucher for
18 payment individual members' expenditures from their annual
19 office allowances to the State Comptroller, subject to the
20 authority of the Comptroller under Section 9 of the State
21 Comptroller Act.

22 Nothing in this Section prohibits the expenditure of
23 personal funds or the funds of a political committee controlled
24 by an officeholder to defray the customary and reasonable
25 expenses of an officeholder in connection with the performance
26 of governmental and public service functions.

1 Beginning in State fiscal year 2012, any portion of
2 appropriations that are made to provide an office allowance
3 under this Section and that remain unexpended at the end of the
4 lapse period of that year shall be used by the Comptroller to
5 pay the past due operating debt of the State.

6 (Source: P.A. 95-6, eff. 6-20-07; 96-555, eff. 8-18-09; 96-886,
7 eff. 1-1-11.)

8 Section 10. The State Finance Act is amended by adding
9 Section 6z-93 as follows:

10 (30 ILCS 105/6z-93 new)

11 Sec. 6z-93. Unexpended office allowances of General
12 Assembly members. Beginning in State fiscal year 2012, any
13 portion of appropriations that are made to provide an office
14 allowance under Section 4 of the General Assembly Compensation
15 Act and that remain unexpended at the end of the lapse period
16 of that year shall be used by the Comptroller to pay the past
17 due operating debt of the State.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.