

HB0094



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0094

Introduced 1/9/2013, by Rep. David McSweeney

SYNOPSIS AS INTRODUCED:

25 ILCS 115/4

from Ch. 63, par. 15.1

Amends the General Assembly Compensation Act. Reduces the district office allowance of members of the General Assembly by 10%. Effective immediately.

LRB098 03850 JDS 33867 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 and
8 through the effective date of this amendatory Act of the 98th
9 General Assembly, each member of the House of Representatives
10 is authorized to approve the expenditure of not more than
11 \$61,000 per year and each member of the Senate is authorized to
12 approve the expenditure of not more than \$73,000 per year to
13 pay for "personal services", "contractual services",
14 "commodities", "printing", "travel", "operation of automotive
15 equipment", "telecommunications services", as defined in the
16 State Finance Act, and the compensation of one or more
17 legislative assistants authorized pursuant to this Section, in
18 connection with his or her legislative duties and not in
19 connection with any political campaign. Beginning on the
20 effective date of this amendatory Act of the 98th General
21 Assembly, each member of the House of Representatives is
22 authorized to expend 90% of the amount that a member of the
23 House of Representatives was authorized to expend for these

1 purposes on the day before the effective date of this
2 amendatory Act of the 98th General Assembly, and each member of
3 the Senate is authorized to expend 90% of the amount that a
4 member of the Senate was authorized to expend for these
5 purposes on the day before the effective date of this
6 amendatory Act of the 98th General Assembly.

7 On July 1, 2002 and on July 1 of each year thereafter, the
8 amount authorized per year under this Section for each member
9 of the Senate and each member of the House of Representatives
10 shall be increased by a percentage increase equivalent to the
11 lesser of (i) the increase in the designated cost of living
12 index or (ii) 5%. The designated cost of living index is the
13 index known as the "Employment Cost Index, Wages and Salaries,
14 By Occupation and Industry Groups: State and Local Government
15 Workers: Public Administration" as published by the Bureau of
16 Labor Statistics of the U.S. Department of Labor for the
17 calendar year immediately preceding the year of the respective
18 July 1st increase date. The increase shall be added to the then
19 current amount, and the adjusted amount so determined shall be
20 the annual amount beginning July 1 of the increase year until
21 July 1 of the next year, subject to any adjustment required by
22 this amendatory Act of the 98th General Assembly. No increase
23 under this provision shall be less than zero.

24 A member may purchase office equipment if the member
25 certifies to the Secretary of the Senate or the Clerk of the
26 House, as applicable, that the purchase price, whether paid in

1 lump sum or installments, amounts to less than would be charged
2 for renting or leasing the equipment over its anticipated
3 useful life. All such equipment must be purchased through the
4 Secretary of the Senate or the Clerk of the House, as
5 applicable, for proper identification and verification of
6 purchase.

7 Each member of the General Assembly is authorized to employ
8 one or more legislative assistants, who shall be solely under
9 the direction and control of that member, for the purpose of
10 assisting the member in the performance of his or her official
11 duties. A legislative assistant may be employed pursuant to
12 this Section as a full-time employee, part-time employee, or
13 contractual employee, at the discretion of the member. If
14 employed as a State employee, a legislative assistant shall
15 receive employment benefits on the same terms and conditions
16 that apply to other employees of the General Assembly. Each
17 member shall adopt and implement personnel policies for
18 legislative assistants under his or her direction and control
19 relating to work time requirements, documentation for
20 reimbursement for travel on official State business,
21 compensation, and the earning and accrual of State benefits for
22 those legislative assistants who may be eligible to receive
23 those benefits. The policies shall also require legislative
24 assistants to periodically submit time sheets documenting, in
25 quarter-hour increments, the time spent each day on official
26 State business. The policies shall require the time sheets to

1 be submitted on paper, electronically, or both and to be
2 maintained in either paper or electronic format by the
3 applicable fiscal office for a period of at least 2 years.
4 Contractual employees may satisfy the time sheets requirement
5 by complying with the terms of their contract, which shall
6 provide for a means of compliance with this requirement. A
7 member may satisfy the requirements of this paragraph by
8 adopting and implementing the personnel policies promulgated
9 by that member's legislative leader under the State Officials
10 and Employees Ethics Act with respect to that member's
11 legislative assistants.

12 As used in this Section the term "personal services" shall
13 include contributions of the State under the Federal Insurance
14 Contribution Act and under Article 14 of the Illinois Pension
15 Code. As used in this Section the term "contractual services"
16 shall not include improvements to real property unless those
17 improvements are the obligation of the lessee under the lease
18 agreement. Beginning July 1, 1989, as used in the Section, the
19 term "travel" shall be limited to travel in connection with a
20 member's legislative duties and not in connection with any
21 political campaign. Beginning on the effective date of this
22 amendatory Act of the 93rd General Assembly, as used in this
23 Section, the term "printing" includes, but is not limited to,
24 newsletters, brochures, certificates, congratulatory mailings,
25 greeting or welcome messages, anniversary or birthday cards,
26 and congratulations for prominent achievement cards. As used in

1 this Section, the term "printing" includes fees for
2 non-substantive resolutions charged by the Clerk of the House
3 of Representatives under subsection (c-5) of Section 1 of the
4 Legislative Materials Act. No newsletter or brochure that is
5 paid for, in whole or in part, with funds provided under this
6 Section may be printed or mailed during a period beginning
7 February 1 of the year of a general primary election and ending
8 the day after the general primary election and during a period
9 beginning September 1 of the year of a general election and
10 ending the day after the general election, except that such a
11 newsletter or brochure may be mailed during those times if it
12 is mailed to a constituent in response to that constituent's
13 inquiry concerning the needs of that constituent or questions
14 raised by that constituent. Nothing in this Section shall be
15 construed to authorize expenditures for lodging and meals while
16 a member is in attendance at sessions of the General Assembly.

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

21 If a vacancy occurs in the office of Senator or
22 Representative in the General Assembly, any office equipment in
23 the possession of the vacating member shall transfer to the
24 member's successor; if the successor does not want such
25 equipment, it shall be transferred to the Secretary of the
26 Senate or Clerk of the House of Representatives, as the case

1 may be, and if not wanted by other members of the General
2 Assembly then to the Department of Central Management Services
3 for treatment as surplus property under the State Property
4 Control Act. Each member, on or before June 30th of each year,
5 shall conduct an inventory of all equipment purchased pursuant
6 to this Act. Such inventory shall be filed with the Secretary
7 of the Senate or the Clerk of the House, as the case may be.
8 Whenever a vacancy occurs, the Secretary of the Senate or the
9 Clerk of the House, as the case may be, shall conduct an
10 inventory of equipment purchased.

11 In the event that a member leaves office during his or her
12 term, any unexpended or unobligated portion of the allowance
13 granted under this Section shall lapse. The vacating member's
14 successor shall be granted an allowance in an amount, rounded
15 to the nearest dollar, computed by dividing the annual
16 allowance by 365 and multiplying the quotient by the number of
17 days remaining in the fiscal year.

18 From any appropriation for the purposes of this Section for
19 a fiscal year which overlaps 2 General Assemblies, no more than
20 1/2 of the annual allowance per member may be spent or
21 encumbered by any member of either the outgoing or incoming
22 General Assembly, except that any member of the incoming
23 General Assembly who was a member of the outgoing General
24 Assembly may encumber or spend any portion of his annual
25 allowance within the fiscal year.

26 The appropriation for the annual allowances permitted by

1 this Section shall be included in an appropriation to the
2 President of the Senate and to the Speaker of the House of
3 Representatives for their respective members. The President of
4 the Senate and the Speaker of the House shall voucher for
5 payment individual members' expenditures from their annual
6 office allowances to the State Comptroller, subject to the
7 authority of the Comptroller under Section 9 of the State
8 Comptroller Act.

9 Nothing in this Section prohibits the expenditure of
10 personal funds or the funds of a political committee controlled
11 by an officeholder to defray the customary and reasonable
12 expenses of an officeholder in connection with the performance
13 of governmental and public service functions.

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

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