



Sen. Heather A. Steans

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1 AMENDMENT TO HOUSE BILL 924

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 924, AS AMENDED,  
3 with reference to page and line numbers of Senate Amendment No.  
4 1, on page 20, by inserting immediately below line 8 the  
5 following:

6 "Section 15-5. The Unemployment Insurance Act is amended by  
7 changing Sections 611, 1500, and 1506.1 as follows:

8 (820 ILCS 405/611) (from Ch. 48, par. 441)

9 Sec. 611. Retirement pay. A. For the purposes of this  
10 Section "disqualifying income" means:

11 1. The entire amount which an individual has received or  
12 will receive with respect to a week in the form of a retirement  
13 payment (a) from an individual or organization (i) for which he  
14 performed services during his base period or which is liable  
15 for benefit charges or payments in lieu of contributions as a  
16 result of the payment of benefits to such individual and (ii)

1 which pays all of the cost of such retirement payment, or (b)  
2 from a trust, annuity or insurance fund or under an annuity or  
3 insurance contract, to or under which an individual or  
4 organization for which he performed services during his base  
5 period or which is liable for benefit charges or payments in  
6 lieu of contributions as a result of the payment of benefits to  
7 such individual pays or has paid all of the premiums or  
8 contributions; and

9 2. One-half the amount which an individual has received or  
10 will receive with respect to a week in the form of a retirement  
11 payment (a) from an individual or organization (i) for which he  
12 performed services during his base period or which is liable  
13 for benefit charges or payments in lieu of contributions as a  
14 result of the payment of benefits to such individual and (ii)  
15 which pays some, but not all, of the cost of such retirement  
16 payment, or (b) from a trust, annuity or insurance fund  
17 ~~(including primary social security old age and disability~~  
18 ~~retirement benefits, including those based on self employment)~~  
19 or under an annuity or insurance contract, to or under which an  
20 individual or organization for which he performed services  
21 during his base period or which is liable for benefit charges  
22 or payments in lieu of contributions as a result of the payment  
23 of benefits to such individual pays or has paid some, but not  
24 all, of the premiums or contributions.

25 2.1. Notwithstanding paragraphs 1 and 2 above, none of the  
26 amount that an individual has received or will receive with

1 respect to a week in the form of social security old age,  
2 survivors, and disability benefits under 42 U.S.C. Section 401  
3 et seq., including those based on self-employment, shall  
4 constitute disqualifying income.

5 3. Notwithstanding ~~paragraphs~~ paragraph 1, and 2, and 2.1  
6 above, the entire amount which an individual has received or  
7 will receive, with respect to any week which begins after March  
8 31, 1980, of any governmental or other pension, retirement, or  
9 retired pay, annuity or any other similar periodic payment  
10 which is based on any previous work of such individual during  
11 his base period or which is liable for benefit charges or  
12 payments in lieu of contributions as a result of the payment of  
13 benefits to such individual. This paragraph shall be in effect  
14 only if it is required as a condition for full tax credit  
15 against the tax imposed by the Federal Unemployment Tax Act.

16 B. Whenever an individual has received or will receive a  
17 retirement payment for a month, an amount shall be deemed to  
18 have been paid him for each day equal to one-thirtieth of such  
19 retirement payment. If the retirement payment is for a  
20 half-month, an amount shall be deemed to have been paid the  
21 individual for each day equal to one-fifteenth of such  
22 retirement payment. If the retirement payment is for any other  
23 period, an amount shall be deemed to have been paid the  
24 individual for each day in such period equal to the retirement  
25 payment divided by the number of days in the period.

26 C. An individual shall be ineligible for benefits for any

1 week with respect to which his disqualifying income equals or  
2 exceeds his weekly benefit amount. If such disqualifying income  
3 with respect to a week totals less than the benefits for which  
4 he would otherwise be eligible under this Act, he shall be  
5 paid, with respect to such week, benefits reduced by the amount  
6 of such disqualifying income.

7 D. To assure full tax credit to the employers of this State  
8 against the tax imposed by the Federal Unemployment Tax Act,  
9 the Director shall take any action as may be necessary in the  
10 administration of paragraph 3 of subsection A of this Section  
11 to insure that the application of its provisions conform to the  
12 requirements of such Federal Act as interpreted by the United  
13 States Secretary of Labor or other appropriate Federal agency.

14 (Source: P.A. 86-3.)

15 (820 ILCS 405/1500) (from Ch. 48, par. 570)

16 Sec. 1500. Rate of contribution.

17 A. For the six months' period beginning July 1, 1937, and  
18 for each of the calendar years 1938 to 1959, inclusive, each  
19 employer shall pay contributions on wages at the percentages  
20 specified in or determined in accordance with the provisions of  
21 this Act as amended and in effect on July 11, 1957.

22 B. For the calendar years 1960 through 1983, each employer  
23 shall pay contributions equal to 2.7 percent with respect to  
24 wages for insured work paid during each such calendar year,  
25 except that the contribution rate of each employer who has

1 incurred liability for the payment of contributions within each  
2 of the three calendar years immediately preceding the calendar  
3 year for which a rate is being determined, shall be determined  
4 as provided in Sections 1501 to 1507, inclusive.

5 For the calendar year 1984 and each calendar year  
6 thereafter, each employer shall pay contributions at a  
7 percentage rate equal to the greatest of 2.7%, or 2.7%  
8 multiplied by the current adjusted State experience factor, as  
9 determined for each calendar year by the Director in accordance  
10 with the provisions of Sections 1504 and 1505, or the average  
11 contribution rate for his major classification in the Standard  
12 Industrial Code, or another classification sanctioned by the  
13 United States Department of Labor and prescribed by the  
14 Director by rule, with respect to wages for insured work paid  
15 during such year. The Director of Employment Security shall  
16 determine for calendar year 1984 and each calendar year  
17 thereafter by a method pursuant to adopted rules each  
18 individual employer's industrial code and the average  
19 contribution rate for each major classification in the Standard  
20 Industrial Code, or each other classification sanctioned by the  
21 United States Department of Labor and prescribed by the  
22 Director by rule. Notwithstanding the preceding provisions of  
23 this paragraph, the contribution rate for calendar years 1984,  
24 1985 and 1986 of each employer who has incurred liability for  
25 the payment of contributions within each of the two calendar  
26 years immediately preceding the calendar year for which a rate

1 is being determined, and the contribution rate for calendar  
2 year 1987 and each calendar year thereafter of each employer  
3 who has incurred liability for the payment of contributions  
4 within each of the three calendar years immediately preceding  
5 the calendar year for which a rate is being determined shall be  
6 determined as provided in Sections 1501 to 1507.1, inclusive.  
7 Provided, however, that the contribution rate for calendar  
8 years 1989 and 1990 of each employer who has had experience  
9 with the risk of unemployment for at least 13 consecutive  
10 months ending June 30 of the preceding calendar year shall be a  
11 rate determined in accordance with this Section or a rate  
12 determined as if it had been calculated in accordance with  
13 Sections 1501 through 1507, inclusive, whichever is greater,  
14 except that for purposes of calculating the benefit wage ratio  
15 as provided in Section 1503, such benefit wage ratio shall be a  
16 percentage equal to the total of benefit wages for the 12  
17 consecutive calendar month period ending on the above preceding  
18 June 30, divided by the total wages for insured work subject to  
19 the payment of contributions under Sections 234, 235 and 245  
20 for the same period and provided, further, however, that the  
21 contribution rate for calendar year 1991 and for each calendar  
22 year thereafter of each employer who has had experience with  
23 the risk of unemployment for at least 13 consecutive months  
24 ending June 30 of the preceding calendar year shall be a rate  
25 determined in accordance with this Section or a rate determined  
26 as if it had been calculated in accordance with Sections 1501

1 through 1507.1, inclusive, whichever is greater, except that  
2 for purposes of calculating the benefit ratio as provided in  
3 Section 1503.1, such benefit ratio shall be a percentage equal  
4 to the total of benefit charges for the 12 consecutive calendar  
5 month period ending on the above preceding June 30, multiplied  
6 by the benefit conversion factor applicable to such year,  
7 divided by the total wages for insured work subject to the  
8 payment of contributions under Sections 234, 235 and 245 for  
9 the same period.

10 B-5. Notwithstanding any other provision of this Section,  
11 beginning in calendar year 2015, an employer's contribution  
12 rate as determined pursuant to subsection B shall be reduced by  
13 0.04% absolute. This amendatory Act of the 98th General  
14 Assembly has no effect on the fund building rate determined  
15 pursuant to Section 1506.3 or fund building receipts  
16 attributable to the fund building rate.

17 C. Except as expressly provided in this Act, the provisions  
18 of Sections 1500 to 1510, inclusive, do not apply to any  
19 nonprofit organization for any period with respect to which it  
20 does not incur liability for the payment of contributions by  
21 reason of having elected to make payments in lieu of  
22 contributions, or to any political subdivision or municipal  
23 corporation for any period with respect to which it is not  
24 subject to payments in lieu of contributions under the  
25 provisions of paragraph 1 of Section 302C by reason of having  
26 elected to make payments in lieu of contributions under

1 paragraph 2 of that Section or to any governmental entity  
2 referred to in clause (B) of Section 211.1. Wages paid to an  
3 individual which are subject to contributions under Section  
4 1405 A, or on the basis of which benefits are paid to him which  
5 are subject to payment in lieu of contributions under Sections  
6 1403, 1404, or 1405 B, or under paragraph 2 of Section 302C,  
7 shall not become benefit wages or benefit charges under the  
8 provisions of Sections 1501 or 1501.1, respectively, except for  
9 purposes of determining a rate of contribution for 1984 and  
10 each calendar year thereafter for any governmental entity  
11 referred to in clause (B) of Section 211.1 which does not elect  
12 to make payments in lieu of contributions.

13 D. If an employer's business is closed solely because of  
14 the entrance of one or more of the owners, partners, officers,  
15 or the majority stockholder into the armed forces of the United  
16 States, or of any of its allies, or of the United Nations, and,  
17 if the business is resumed within two years after the discharge  
18 or release of such person or persons from active duty in the  
19 armed forces, the employer will be deemed to have incurred  
20 liability for the payment of contributions continuously  
21 throughout such period. Such an employer, for the purposes of  
22 Section 1506.1, will be deemed to have paid contributions upon  
23 wages for insured work during the applicable period specified  
24 in Section 1503 on or before the date designated therein,  
25 provided that no wages became benefit wages during the  
26 applicable period specified in Section 1503.



1 (Source: P.A. 94-301, eff. 1-1-06.)

2 (820 ILCS 405/1506.1) (from Ch. 48, par. 576.1)

3 Sec. 1506.1. Determination of Employer's Contribution  
4 Rate.

5 A. The contribution rate for any calendar year prior to  
6 1991 of each employer whose contribution rate is determined as  
7 provided in Sections 1501 through 1507, inclusive, shall be  
8 determined in accordance with the provisions of this Act as  
9 amended and in effect on November 18, 2011.

10 B. (Blank).

11 C. (Blank).

12 D. (Blank).

13 E. The contribution rate for calendar year 1991 and each  
14 calendar year thereafter of each employer who has incurred  
15 liability for the payment of contributions within each of the  
16 three calendar years immediately preceding the calendar year  
17 for which a rate is being determined shall be the product  
18 obtained by multiplying the employer's benefit ratio defined by  
19 Section 1503.1 for that calendar year by the adjusted state  
20 experience factor for the same year, provided that:

21 1. Except as otherwise provided in this paragraph, an  
22 employer's minimum contribution rate shall be the greater  
23 of 0.2% or the product obtained by multiplying 0.2% by the  
24 adjusted state experience factor for the applicable  
25 calendar year. An employer's minimum contribution rate

1 shall be 0.1% for calendar year 1996. An employer's minimum  
2 contribution rate shall be 0.0% for calendar years 2012  
3 through 2019.

4 2. An employer's maximum contribution rate shall be the  
5 greater of 6.4% or the product of 6.4% and the adjusted  
6 state experience factor for the applicable calendar year.

7 3. If any product obtained in this subsection is not an  
8 exact multiple of one-tenth of one percent, it shall be  
9 increased or reduced, as the case may be to the nearer  
10 multiple of one-tenth of one percent. If such product is  
11 equally near to two multiples of one-tenth of one percent,  
12 it shall be increased to the higher multiple of one-tenth  
13 of one percent.

14 4. For purposes of this subsection, intermediate  
15 ~~intermediate~~ rates between such minimum and maximum rates  
16 shall be at one-tenth of one percent intervals.

17 The contribution rate of each employer for whom wages  
18 became benefit wages during the applicable period specified in  
19 Section 1503 or for whom benefit payments became benefit  
20 charges during the applicable period specified in Section  
21 1503.1, but who did not report wages for insured work during  
22 such period, shall be the maximum contribution rate as  
23 determined by paragraph 2 of this subsection. The contribution  
24 rate for each employer for whom no wages became benefit wages  
25 during the applicable period specified in Section 1503 or for  
26 whom no benefit payments became benefit charges during the

1 applicable period specified in Section 1503.1, and who did not  
2 report wages for insured work during such period, shall be the  
3 greater of 2.7% or 2.7% times the then current adjusted state  
4 experience factor as determined by the Director in accordance  
5 with the provisions of Sections 1504 and 1505.

6 F. (Blank).

7 G. Notwithstanding the other provisions of this Section, no  
8 employer's contribution rate with respect to calendar year 1989  
9 and each calendar year thereafter shall exceed 5.4% of the  
10 wages for insured work paid by him during any calendar quarter,  
11 if such wages paid during such calendar quarter total less than  
12 \$50,000, plus any applicable penalty contribution rate  
13 calculated pursuant to subsection C of Section 1507.1.

14 H. Notwithstanding any other provision of this Section,  
15 beginning in calendar year 2015, an employer's contribution  
16 rate as determined under this Section, without regard to this  
17 subsection, shall be reduced by 0.04% absolute but not below  
18 0.0%. This amendatory Act of the 98th General Assembly has no  
19 effect on the fund building rate determined pursuant to Section  
20 1506.3 or fund building receipts attributable to the fund  
21 building rate.

22 (Source: P.A. 97-621, eff. 11-18-11; 97-791, eff. 1-1-13.)".