



Rep. Elaine Nekritz

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LRB098 10966 EFG 42867 a

1 AMENDMENT TO HOUSE BILL 2993

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2993 on page 1, in  
3 line 7, by changing "15-163, 15-168,", to "15-168, 15-169,";  
4 and

5 on page 1, in line 8, by changing "and 15-177" to "15-177, and  
6 16-152"; and

7 on page 1, in line 9, by changing "and 15-177.1" to "15-177.1,  
8 and 16-106.6"; and

9 on page 22, in line 1, after "Rule 1.", by inserting "A Tier 2  
10 member is eligible for a retirement annuity calculated under  
11 Rule 4 only if that Tier 2 member meets the service  
12 requirements for that benefit calculation as prescribed under  
13 this Rule 4 in addition to the applicable age requirement under  
14 subsection (a-5) of Section 15-135."; and

1 on page 77, by deleting lines 6 through 15; and

2 on page 77, below line 23, by inserting the following:

3 "(40 ILCS 5/15-169) (from Ch. 108 1/2, par. 15-169)

4 Sec. 15-169. To elect officers and appoint employees. To  
5 elect officers; to appoint a secretary and treasurer; to have a  
6 seal; to employ and fix the rate of pay of such ~~actuarial,~~  
7 ~~legal, or medical services, or~~ corporate trustee organized  
8 under the laws of this State with a capital of not less than  
9 \$1,000,000, or investment counsel and other persons as shall be  
10 required for the efficient administration of the system. All  
11 actions brought by or against the board shall be prosecuted or  
12 defended by the Attorney General or by other counsel, as the  
13 board may decide.

14 (Source: P.A. 83-1440.)"; and

15 on page 79, below line 13, by inserting the following:

16 "(40 ILCS 5/16-106.6 new)

17 Sec. 16-106.6. Teacher certification. For purposes of this  
18 Article, a teacher shall be deemed to be certificated if he or  
19 she is required to be licensed by the Illinois State Board of  
20 Education.

21 (40 ILCS 5/16-152) (from Ch. 108 1/2, par. 16-152)

1           Sec. 16-152. Contributions by members.

2           (a) Each member shall make contributions for membership  
3 service to this System as follows:

4           (1) Effective July 1, 1998, contributions of 7.50% of  
5 salary towards the cost of the retirement annuity. Such  
6 contributions shall be deemed "normal contributions".

7           (2) Effective July 1, 1969, contributions of 1/2 of 1%  
8 of salary toward the cost of the automatic annual increase  
9 in retirement annuity provided under Section 16-133.1.

10           (3) Effective July 24, 1959, contributions of 1% of  
11 salary towards the cost of survivor benefits. Such  
12 contributions shall not be credited to the individual  
13 account of the member and shall not be subject to refund  
14 except as provided under Section 16-143.2.

15           (4) Effective July 1, 2005, contributions of 0.40% of  
16 salary toward the cost of the early retirement without  
17 discount option provided under Section 16-133.2. This  
18 contribution shall cease upon termination of the early  
19 retirement without discount option as provided in Section  
20 16-176.

21           (b) The minimum required contribution for any year of  
22 full-time teaching service shall be \$192.

23           (c) Contributions shall not be required of any annuitant  
24 receiving a retirement annuity who is given employment as  
25 permitted under Section 16-118 or 16-150.1.

26           (d) A person who (i) was a member before July 1, 1998, (ii)

1 retires with more than 34 years of creditable service, and  
2 (iii) does not elect to qualify for the augmented rate under  
3 Section 16-129.1 shall be entitled, at the time of retirement,  
4 to receive a partial refund of contributions made under this  
5 Section for service occurring after the later of June 30, 1998  
6 or attainment of 34 years of creditable service, in an amount  
7 equal to 1.00% of the salary upon which those contributions  
8 were based.

9 (e) A member's contributions toward the cost of early  
10 retirement without discount made under item (a)(4) of this  
11 Section shall not be refunded if the member has elected early  
12 retirement without discount under Section 16-133.2 and has  
13 begun to receive a retirement annuity under this Article  
14 calculated in accordance with that election. Otherwise, a  
15 member's contributions toward the cost of early retirement  
16 without discount made under item (a)(4) of this Section shall  
17 be refunded according to whichever one of the following  
18 circumstances occurs first:

19 (1) The contributions shall be refunded to the member,  
20 without interest, within 120 days after the member's  
21 retirement annuity commences, if the member does not elect  
22 early retirement without discount under Section 16-133.2.

23 (2) The contributions shall be included, without  
24 interest, in any refund claimed by the member under Section  
25 16-151.

26 (3) The contributions shall be refunded to the member's

1 designated beneficiary (or if there is no beneficiary, to  
2 the member's estate), without interest, if the member dies  
3 without having begun to receive a retirement annuity under  
4 this Article.

5 (4) The contributions shall be refunded to the member,  
6 without interest, if ~~within 120 days after~~ the early  
7 retirement without discount option provided under Section  
8 16-133.2 is terminated under Section 16-176. In that event,  
9 the System shall provide to the member, within 120 days  
10 after the option is terminated, an application for a refund  
11 of those contributions.

12 (Source: P.A. 93-320, eff. 7-23-03; 94-4, eff. 6-1-05.)".