



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3760

by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-167 new

Amends the Illinois Pension Code. Provides that a member or participant of a retirement system or pension fund established under the Code who is receiving a retirement annuity or retirement pension under the Code and becomes employed on or after the effective date of the amendatory Act in a position in which he or she is eligible to accrue service credit or creditable service under any Article of the Code shall, in the month immediately after commencing that employment, have the amount of his or her monthly retirement annuity or retirement pension offset by the amount of his or her compensation, earnings, or salary (whichever is applicable) in the immediately preceding month as certified to the applicable retirement system or pension fund by his or her employer, unless the payment of that retirement annuity or pension is already suspended or terminated under the Code during that period. Exempts the first \$2,000 per month of retirement annuity payments. Provides that if during the course of a member's or participant's employment that member's or participant's retirement annuity or retirement pension under the Code fully vests, then that member or participant may maintain his or her employment in that position without contributing to any retirement annuity fund or any retirement pension fund under the Code. Effective immediately.

LRB098 13073 RPM 49594 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning public employee benefits, which may also  
2 be referred to as The Retirement Means Retirement Act.

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

5 Section 5. The Illinois Pension Code is amended by adding  
6 Section 1-167 as follows:

7 (40 ILCS 5/1-167 new)

8 Sec. 1-167. Return to employment offset; continuation of  
9 employment after fully vesting.

10 (a) Notwithstanding any other provision of this Code, a  
11 member or participant of a retirement system or pension fund  
12 established under this Code who is receiving a retirement  
13 annuity or retirement pension under this Code and becomes  
14 employed on or after the effective date of this amendatory Act  
15 of the 98th General Assembly in a position in which he or she  
16 is eligible to accrue service credit or creditable service  
17 under any Article of this Code shall, in the month immediately  
18 after commencing that employment, have the amount of his or her  
19 monthly retirement annuity or retirement pension offset by the  
20 amount of his or her compensation, earnings, or salary  
21 (whichever is applicable) in the immediately preceding month as  
22 certified to the applicable retirement system or pension fund  
23 by his or her employer, unless the payment of that retirement

1 annuity or retirement pension is already suspended or  
2 terminated under this Code during that period. However, this  
3 subsection (a) shall not apply to the first \$2,000 per month of  
4 retirement annuity payments for a member or participant of a  
5 retirement system established under this Code.

6 (b) Notwithstanding any other provision of this Code, if  
7 during the course of a member's or participant's employment  
8 that member's or participant's retirement annuity or  
9 retirement pension under this Code fully vests, then that  
10 member or participant may maintain his or her employment in  
11 that position without contributing to any retirement annuity  
12 fund or any retirement pension fund under this Code.

13  
14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.