

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 7-172.1 as follows:

6 (40 ILCS 5/7-172.1) (from Ch. 108 1/2, par. 7-172.1)

7 Sec. 7-172.1. Actions to enforce payments by  
8 municipalities and instrumentalities.

9 (a) If any participating municipality or participating  
10 instrumentality fails to transmit to the Fund contributions  
11 required of it under this Article or contributions collected by  
12 it from its participating employees for the purposes of this  
13 Article for more than 60 ~~90~~ days after the payment of such  
14 contributions is due, the Fund, after giving notice to such  
15 municipality or instrumentality, may certify to the State  
16 Comptroller the amounts of such delinquent payments and the  
17 Comptroller shall deduct the amounts so certified or any part  
18 thereof from any grants of State funds to the municipality or  
19 instrumentality involved and shall pay the amount so deducted  
20 to the Fund. If State funds from which such deductions may be  
21 made are not available, the Fund may proceed against the  
22 municipality or instrumentality to recover the amounts of such  
23 delinquent payments in the appropriate circuit court.

1 (b) If any participating municipality fails to transmit to  
2 the Fund contributions required of it under this Article or  
3 contributions collected by it from its participating employees  
4 for the purposes of this Article for more than 60 ~~90~~ days after  
5 the payment of such contributions is due, the Fund, after  
6 giving notice to such municipality, may certify the fact of  
7 such delinquent payment to the county treasurer of the county  
8 in which such municipality is located, who shall thereafter  
9 remit the amounts collected from the tax levied by the  
10 municipality under Section 7-171 directly to the Fund.

11 (c) If reports furnished to the Fund by the municipality or  
12 instrumentality involved are inadequate for the computation of  
13 the amounts of such delinquent payments, the Fund may provide  
14 for such audit of the records of the municipality or  
15 instrumentality as may be required to establish the amounts of  
16 such delinquent payments. The municipality or instrumentality  
17 shall make its records available to the Fund for the purpose of  
18 such audit. The cost of such audit shall be added to the amount  
19 of the delinquent payments and shall be recovered by the Fund  
20 from the municipality or instrumentality at the same time and  
21 in the same manner as the delinquent payments are recovered.

22 (Source: P.A. 86-273.)

23 Section 10. The Public Safety Employee Benefits Act is  
24 amended by changing Section 17 as follows:

1 (820 ILCS 320/17)

2 Sec. 17. Reporting forms.

3 (a) A person who qualified for benefits under subsections  
4 (a) and (b) of Section 10 of this Act (hereinafter referred to  
5 as "PSEBA recipient") shall be required to file a form with his  
6 or her employer as prescribed in this Section. The Commission  
7 on Government Forecasting and Accountability (COGFA) shall use  
8 the form created in this Act and prescribe the content of the  
9 report in cooperation with one statewide labor organization  
10 representing police, one statewide law enforcement  
11 organization, one statewide labor organization representing  
12 firefighters employed by at least 100 municipalities in this  
13 State that is affiliated with the Illinois State Federation of  
14 Labor, one statewide labor organization representing  
15 correctional officers and parole agents that is affiliated with  
16 the Illinois State Federation of Labor, one statewide  
17 organization representing municipalities, and one regional  
18 organization representing municipalities. COGFA may accept  
19 comment from any source, but shall not be required to solicit  
20 public comment. Within 60 days after the effective date of this  
21 amendatory Act of the 98th General Assembly, COGFA shall remit  
22 a copy of the form contained in this subsection to all  
23 employers subject to this Act and shall make a copy available  
24 on its website.

25 "PSEBA RECIPIENT REPORTING FORM:

1 Under Section 17 of the Public Safety Employee Benefits  
2 Act (820 ILCS 320/17), the Commission on Government  
3 Forecasting and Accountability (COGFA) is charged with  
4 creating and submitting a report to the Governor and the  
5 General Assembly setting forth information regarding  
6 recipients and benefits payable under the Public Safety  
7 Employee Benefits Act (Act). The Act requires employers  
8 providing PSEBA benefits to distribute this form to any  
9 former peace officer, firefighter, or correctional officer  
10 currently in receipt of PSEBA benefits.

11 The responses to the questions below will be used by  
12 COGFA to compile information regarding the PSEBA benefit  
13 for its report. The Act prohibits the release of any  
14 personal information concerning the PSEBA recipient and  
15 exempts the reported information from the requirements of  
16 the Freedom of Information Act (FOIA).

17 The Act requires the PSEBA recipient to complete this  
18 form and submit it to the employer providing PSEBA benefits  
19 within 60 days of receipt. If the PSEBA recipient fails to  
20 submit this form within 60 days of receipt, the employer is  
21 required to notify the PSEBA recipient of non-compliance  
22 and provide an additional 30 days to submit the required  
23 form. Failure to submit the form in a timely manner will  
24 result in the PSEBA recipient incurring responsibility for  
25 reimbursing the employer for premiums paid during the  
26 period the form is due and not filed.

- 1 (1) PSEBA recipient's name:
- 2 (2) PSEBA recipient's date of birth:
- 3 (3) Name of the employer providing PSEBA benefits:
- 4 (4) Date the PSEBA benefit first became payable:
- 5 (5) What was the medical diagnosis of the injury
- 6 that qualified you for the PSEBA benefit?
- 7 (6) Are you currently employed with compensation?
- 8 (7) If so, what is the name(s) of your current
- 9 employer(s)?
- 10 (8) Are you or your spouse enrolled in a health
- 11 insurance plan provided by your current employer or
- 12 another source?
- 13 (9) Have you or your spouse been offered or
- 14 provided access to health insurance from your current
- 15 employer(s)?
- 16 If you answered yes to question 8 or 9, please provide
- 17 the name of the employer, the name of the insurance
- 18 provider(s), and a general description of the type(s) of
- 19 insurance offered (HMO, PPO, HSA, etc.):
- 20 (10) Are you or your spouse enrolled in a health
- 21 insurance plan provided by a current employer of your
- 22 spouse?
- 23 (11) Have you or your spouse been offered or
- 24 provided access to health insurance provided by a
- 25 current employer of your spouse?
- 26 If you answered yes to question 10 or 11, please

1 provide the name of the employer, the name of the insurance  
2 provider, and a general description of the type of  
3 insurance offered (HMO, PPO, HSA, etc.) by an employer of  
4 your spouse:"

5 COGFA ~~COFGA~~ shall notify an employer of its obligation to  
6 notify any PSEBA recipient receiving benefits under this Act of  
7 that recipient's obligation to file a report under this  
8 Section. A PSEBA recipient receiving benefits under this Act  
9 must complete and return this form to the employer within 60  
10 days of receipt of such form. Any PSEBA recipient who has been  
11 given notice as provided under this Section and who fails to  
12 timely file a report under this Section within 60 days after  
13 receipt of this form shall be notified by the employer that he  
14 or she has 30 days to submit the report or risk incurring the  
15 cost of his or her benefits provided under this Act. An  
16 employer may seek reimbursement for premium payments for a  
17 PSEBA recipient who fails to file this report with the employer  
18 30 days after receiving this notice. The PSEBA recipient is  
19 responsible for reimbursing the employer for premiums paid  
20 during the period the report is due and not filed. Employers  
21 shall return this form to COGFA within 30 days after receiving  
22 the form from the PSEBA recipient.

23 Any information collected by the employer under this  
24 Section shall be exempt from the requirements of the Freedom of  
25 Information Act except for data collected in the aggregate that

1 does not reveal any personal information concerning the PSEBA  
2 recipient.

3 By July 1 of every even-numbered ~~odd-numbered~~ year,  
4 beginning in 2016 ~~2015~~, employers subject to this Act must send  
5 the form contained in this subsection to all PSEBA recipients  
6 eligible for benefits under this Act. The PSEBA recipient must  
7 complete and return this form by September 1 of that year. Any  
8 PSEBA recipient who has been given notice as provided under  
9 this Section and who fails to timely file a completed form  
10 under this Section within 60 days after receipt of this form  
11 shall be notified by the employer that he or she has 30 days to  
12 submit the form or risk incurring the costs of his or her  
13 benefits provided under this Act. The PSEBA recipient is  
14 responsible for reimbursing the employer for premiums paid  
15 during the period the report is due and not filed. The employer  
16 shall resume premium payments upon receipt of the completed  
17 form. Employers shall return this form to COGFA within 30 days  
18 after receiving the form from the PSEBA recipient.

19 (b) An employer subject to this Act shall complete and file  
20 the form contained in this subsection.

21 "EMPLOYER SUBJECT TO PSEBA REPORTING FORM:

22 Under Section 17 of the Public Safety Employee Benefits  
23 Act (820 ILCS 320/17), the Commission on Government  
24 Forecasting and Accountability (COGFA) is charged with  
25 creating and submitting a report to the Governor and

1 General Assembly setting forth information regarding  
2 recipients and benefits payable under the Public Safety  
3 Employee Benefits Act (Act).

4 The responses to the questions below will be used by  
5 COGFA to compile information regarding the PSEBA benefit  
6 for its report.

7 The Act requires all employers subject to the PSEBA Act  
8 to submit the following information within 120 days after  
9 receipt of this form.

10 (1) Name of the employer:

11 (2) The number of PSEBA benefit applications filed  
12 under the Act during the reporting period provided in  
13 the aggregate and listed individually by name of  
14 applicant and date of application:

15 (3) The number of PSEBA benefits and names of PSEBA  
16 recipients receiving benefits awarded under the Act  
17 during the reporting period provided in the aggregate  
18 and listed individually by name of applicant and date  
19 of application:

20 (4) The cost of the health insurance premiums paid  
21 due to PSEBA benefits awarded under the Act during the  
22 reporting period provided in the aggregate and listed  
23 individually by name of PSEBA recipient:

24 (5) The number of PSEBA benefit applications filed  
25 under the Act since the inception of the Act provided  
26 in the aggregate and listed individually by name of



1 applicant and date of application:

2 (6) The number of PSEBA benefits awarded under the  
3 Act since the inception of the Act provided in the  
4 aggregate and listed individually by name of applicant  
5 and date of application:

6 (7) The cost of health insurance premiums paid due  
7 to PSEBA benefits awarded under the Act since the  
8 inception of the Act provided in the aggregate and  
9 listed individually by name of PSEBA recipient:

10 (8) The current annual cost of health insurance  
11 premiums paid for PSEBA benefits awarded under the Act  
12 provided in the aggregate and listed individually by  
13 name of PSEBA recipient:

14 (9) The annual cost of health insurance premiums  
15 paid for PSEBA benefits awarded under the Act listed by  
16 year since the inception of the Act provided in annual  
17 aggregate amounts and listed individually by name of  
18 PSEBA recipient:

19 (10) A description of health insurance benefit  
20 levels currently provided by the employer to the PSEBA  
21 recipient:

22 (11) The total cost of the monthly health insurance  
23 premium currently provided to the PSEBA recipient:

24 (12) The other costs of the health insurance  
25 benefit currently provided to the PSEBA recipient  
26 including, but not limited to:

- 1           (i) the co-pay requirements of the health  
2 insurance policy provided to the PSEBA recipient;  
3           (ii) the out-of-pocket deductibles of the  
4 health insurance policy provided to the PSEBA  
5 recipient;  
6           (iii) any pharmaceutical benefits and co-pays  
7 provided in the insurance policy; and  
8           (iv) any policy limits of the health insurance  
9 policy provided to the PSEBA recipient."

10           An employer covered under this Act shall file copies of the  
11 PSEBA Recipient Reporting Form and the Employer Subject to the  
12 PSEBA Act Reporting Form with COGFA within 120 days after  
13 receipt of the Employer Subject to the PSEBA Act Reporting  
14 Form.

15           The first form filed with COGFA under this Section shall  
16 contain all information required by this Section. All forms  
17 filed by the employer thereafter shall set forth the required  
18 information for the 24-month period ending on June 30 preceding  
19 the deadline date for filing the report.

20           Whenever possible, communication between COGFA and  
21 employers as required by this Act shall be through electronic  
22 means.

23           (c) For the purpose of creating the report required under  
24 subsection (d), upon receipt of each PSEBA Benefit Recipient  
25 Form, or as soon as reasonably practicable, COGFA shall make a

1 determination of whether the PSEBA benefit recipient or the  
2 PSEBA benefit recipient's spouse meets one of the following  
3 criteria:

4 (1) the PSEBA benefit recipient or the PSEBA benefit  
5 recipient's spouse is receiving health insurance from a  
6 current employer, a current employer of his or her spouse,  
7 or another source;

8 (2) the PSEBA benefit recipient or the PSEBA benefit  
9 recipient's spouse has been offered or provided access to  
10 health insurance from a current employer or employers.

11 If one or both of the criteria are met, COGFA shall make  
12 the following determinations of the associated costs and  
13 benefit levels of health insurance provided or offered to the  
14 PSEBA benefit recipient or the PSEBA benefit recipient's  
15 spouse:

16 (A) a description of health insurance benefit levels  
17 offered to or received by the PSEBA benefit recipient or  
18 the PSEBA benefit recipient's spouse from a current  
19 employer or a current employer of the PSEBA benefit  
20 recipient's spouse;

21 (B) the monthly premium cost of health insurance  
22 benefits offered to or received by the PSEBA benefit  
23 recipient or the PSEBA benefit recipient's spouse from a  
24 current employer or a current employer of the PSEBA benefit  
25 recipient's spouse including, but not limited to:

26 (i) the total monthly cost of the health insurance

1 premium;

2 (ii) the monthly amount of the health insurance  
3 premium to be paid by the employer;

4 (iii) the monthly amount of the health insurance  
5 premium to be paid by the PSEBA benefit recipient or  
6 the PSEBA benefit recipient's spouse;

7 (iv) the co-pay requirements of the health  
8 insurance policy;

9 (v) the out-of-pocket deductibles of the health  
10 insurance policy;

11 (vi) any pharmaceutical benefits and co-pays  
12 provided in the insurance policy;

13 (vii) any policy limits of the health insurance  
14 policy.

15 COGFA shall summarize the related costs and benefit levels  
16 of health insurance provided or available to the PSEBA benefit  
17 recipient or the PSEBA benefit recipient's spouse and contrast  
18 the results to the cost and benefit levels of health insurance  
19 currently provided by the employer subject to this Act. This  
20 information shall be included in the report required in  
21 subsection (d).

22 (d) By June 1, 2014, and by January 1 of every odd-numbered  
23 ~~even-numbered~~ year thereafter beginning in 2017 ~~2016~~, COGFA  
24 shall submit a report to the Governor and the General Assembly  
25 setting forth the information received under subsections (a)  
26 and (b). The report shall aggregate data in such a way as to

1 not reveal the identity of any single beneficiary. The  
2 requirement for reporting to the General Assembly shall be  
3 satisfied by filing copies of the report with the Speaker,  
4 Minority Leader, and Clerk of the House of Representatives, the  
5 President, Minority Leader, and Secretary of the Senate, the  
6 Legislative Research Unit as required under Section 3.1 of the  
7 General Assembly Organization Act, and the State Government  
8 Report Distribution Center for the General Assembly as required  
9 under paragraph (t) of Section 7 of the State Library Act.  
10 COGFA shall make this report available electronically on a  
11 publicly accessible website.

12 (Source: P.A. 98-561, eff. 8-27-13.)

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