

1 AN ACT in relation to 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
5 changing Sections 2-123 and 14-105.1 as follows:

6 (40 ILCS 5/2-123) (from Ch. 108 1/2, par. 2-123)
7 Sec. 2-123. Refunds.

8 (a) A participant who ceases to be a member, other than
9 an annuitant, shall, upon written request, receive a refund
10 of his or her total contributions, without interest. The
11 refund shall include the additional contributions for the
12 automatic increase in retirement annuity. By accepting the
13 refund, a participant forfeits all accrued rights and
14 benefits in the System and loses credit for all service.
15 However, if he or she again becomes a member, he or she may
16 resume status as a participant and reestablish any forfeited
17 service credit by paying to the System the full amount
18 refunded, together with interest at 4% per annum from the
19 time the refund is paid to the date the member again becomes
20 a participant.

21 A former member of the General Assembly may reestablish
22 any service credit forfeited by acceptance of a refund by
23 paying to the System ~~on or before February 17, 1993,~~ the full
24 amount refunded, together with interest at 4% per annum from
25 the date of payment of the refund to the date of repayment.

26 When a member or former member owes money to the System,
27 interest at the rate of 4% per annum shall accrue and be
28 payable on such amounts owed beginning on the date of
29 termination of service as a member until the contributions
30 due have been paid in full.

31 (b) A participant who (1) has elected to cease making

1 contributions for survivor's annuity under subsection (b) of
2 Section 2-126, (2) has no eligible survivor's annuity
3 beneficiary upon becoming an annuitant, or (3) terminates
4 service with less than 8 years of service is entitled to a
5 refund of the contributions for a survivor's annuity, without
6 interest. If the person later marries, a survivor's annuity
7 shall not be payable upon his or her death, unless the amount
8 of the refund is repaid to the System, together with interest
9 at the rate of 4% per year from the date of refund to the
10 date of repayment.

11 (c) If at the date of retirement or death of a
12 participant who served as an officer of the General Assembly,
13 the total period of such service is less than 4 years, the
14 additional contributions made by such member on the
15 additional salary as an officer shall be refunded unless the
16 participant served as an officer for at least 2 years and has
17 contributed the amount he or she would have contributed if he
18 or she had served as an officer for 4 years as provided in
19 Section 2-126.

20 (d) Upon the termination of the last survivor's annuity
21 payable to a survivor of a deceased participant, the excess,
22 if any, of the total contributions made by the participant
23 for retirement and survivor's annuity, without interest, over
24 the total amount of retirement and survivor's annuity
25 payments received by the participant and the participant's
26 survivors shall be refunded upon request:

27 (i) if there was a surviving spouse of the deceased
28 participant who was eligible for a survivor's annuity, to
29 the designated beneficiary of that spouse or, if the
30 designated beneficiary is deceased or there is no
31 designated beneficiary, to that spouse's estate;

32 (ii) if there was no eligible surviving spouse of
33 the deceased participant, to the designated beneficiary
34 of the deceased participant or, if the designated

1 beneficiary is deceased or there is no designated
2 beneficiary, to the deceased participant's estate.

3 (e) Upon the death of a participant, if a survivor's
4 annuity is not payable under this Article, a beneficiary
5 designated by the participant shall be entitled to a refund
6 of all contributions made by the participant. If the
7 participant has not designated a refund beneficiary, the
8 surviving spouse shall be entitled to the refund of
9 contributions; if there is no surviving spouse, the
10 contributions shall be refunded to the participant's
11 surviving children, if any, and if no children survive, the
12 refund payment shall be made to the participant's estate.

13 (Source: P.A. 90-448, eff. 8-16-97; 90-766, eff. 8-14-98.)

14 (40 ILCS 5/14-105.1) (from Ch. 108 1/2, par. 14-105.1)
15 Sec. 14-105.1. General Assembly.

16 (a) Any active ~~(and until February 17, 1993, any former)~~
17 member of the General Assembly Retirement System may apply
18 for transfer of his or her credits and creditable service
19 accumulated under this System to ~~the General Assembly System~~
20 ~~or~~ a Fund established under Article 5 or 12 of this Code.
21 Such credits and creditable service shall be transferred
22 forthwith. Payment by this System to ~~the General Assembly~~
23 ~~Retirement System or~~ the Fund established under Article 5 or
24 12 shall be made at the same time and shall consist of:

25 (1) the amounts accumulated to the credit of the
26 applicant, including regular interest, on the books of
27 the System on the date of transfer; and

28 (2) employer contributions in an amount equal to
29 the amount of member contributions as determined under
30 subparagraph (1).

31 Participation in this System as to any credits transferred
32 under this subsection ~~Section~~ shall terminate on the date of
33 transfer.

1 (a-5) Any active or former member of the General Assembly
 2 Retirement System may apply for transfer of all or any
 3 portion of his or her credits and creditable service
 4 accumulated under this System to the General Assembly
 5 Retirement System. Such credits and creditable service shall
 6 be transferred forthwith. Payment by this System to the
 7 General Assembly Retirement System shall be made at the same
 8 time and shall consist of:

9 (1) the amounts accumulated to the credit of the
 10 applicant, including regular interest, on the books of
 11 the System on the date of transfer; and

12 (2) employer contributions in an amount equal to
 13 the amount of member contributions as determined under
 14 subparagraph (1).

15 Participation in this System as to any credits transferred
 16 under this subsection shall terminate on the date of
 17 transfer.

18 (b) An active (and until February 1, 1993, a former)
 19 member of the General Assembly who has service credits and
 20 creditable service under the System may establish additional
 21 service credits and creditable service for periods during
 22 which he was an elected official and could have elected to
 23 participate but did not so elect. Service credits and
 24 creditable service may be established by payment to the
 25 System of an amount equal to the contributions he would have
 26 made if he had elected to participate, plus regular interest
 27 to the date of payment.

28 (c) An active or former ~~(and until February 1, 1993, a~~
 29 ~~former)~~ member of the General Assembly Retirement System may
 30 reinstate service and service credits terminated upon receipt
 31 of a separation benefit, by payment to the System of the
 32 amount of the separation benefit plus regular interest
 33 thereon to the date of payment.

34 (Source: P.A. 86-27; 86-273; 86-1028; 86-1488; 87-794.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.