

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 Section 7-137.1 as follows:

6 (40 ILCS 5/7-137.1) (from Ch. 108 1/2, par. 7-137.1)  
7 Sec. 7-137.1. Elected and appointed officials.

8 (a) A person holding an elective office who has elected  
9 to participate in the Fund while in that office may revoke  
10 that election and cease participating in the Fund by  
11 notifying the Board in writing ~~before January 1, 1992~~.

12 Upon such revocation, the person shall forfeit all  
13 creditable service earned while holding that office, and the  
14 Board shall refund to the person, without interest, all  
15 employee contributions paid for the forfeited creditable  
16 service. The Board shall also refund or credit to the  
17 employing municipality, without interest, the employer  
18 contributions relating to the forfeited service, except those  
19 for death and disability.

20 (b) Notwithstanding the provisions of Sections 7-141 and  
21 7-144, beginning January 1, 1992, a person who holds an  
22 elective office and has not elected to participate in the  
23 Fund with respect to that office (or has revoked his election  
24 to participate with respect to that office under subsection  
25 (a) of this Section) shall not be disqualified from receiving  
26 a retirement annuity by reason of holding such office,  
27 provided that the annuity is not based on any credits  
28 received for participating while holding that office.

29 (c) A person holding an appointive public office who has  
30 participated in the Fund with respect to that office may  
31 cease participating in the Fund with respect to that office

1 by so notifying the Board in writing.

2 Upon filing that notice, the person shall forfeit all  
3 creditable service earned with respect to that office, and  
4 the Board shall refund to the person, without interest, all  
5 employee contributions paid for the forfeited creditable  
6 service. The Board shall also refund or credit to the  
7 employing municipality, without interest, the employer  
8 contributions relating to the forfeited service, except those  
9 for death and disability.

10 Notwithstanding the provisions of Sections 7-141 and  
11 7-144, a person who holds an appointive public office and  
12 does not participate in the Fund with respect to that office  
13 is not disqualified from receiving a retirement annuity by  
14 reason of holding that office, provided that the annuity is  
15 not based on any credits received for participating with  
16 respect to that office.

17 (Source: P.A. 87-740.)

18 Section 90. The State Mandates Act is amended by adding  
19 Section 8.25 as follows:

20 (30 ILCS 805/8.25 new)

21 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
22 and 8 of this Act, no reimbursement by the State is required  
23 for the implementation of any mandate created by this  
24 amendatory Act of the 92nd General Assembly.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.