

HB3180



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3180

by Rep. Juliana Stratton

SYNOPSIS AS INTRODUCED:

30 ILCS 105/8.12

from Ch. 127, par. 144.12

Amends the State Finance Act. Provides that the State Pensions Fund shall be used for operational expenses of the Office of the State Treasurer. Removes requirements that the State Treasurer pay certain amounts to the Bank and Trust Company Fund, the Savings Bank Regulatory Fund, the Residential Finance Regulatory Fund, Financial Institution Fund, and the Credit Union Fund for expenses incurred in complying with the Uniform Disposition of Unclaimed Property Act. Effective immediately.

LRB100 09179 MLM 19334 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing
5 Section 8.12 as follows:

6 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

7 Sec. 8.12. State Pensions Fund.

8 (a) The moneys in the State Pensions Fund shall be used
9 exclusively for the administration of the Uniform Disposition
10 of Unclaimed Property Act, for other operational expenses of
11 the Office of the State Treasurer, ~~and~~ for the expenses
12 incurred by the Auditor General for administering the
13 provisions of Section 2-8.1 of the Illinois State Auditing Act,
14 and for the funding of the unfunded liabilities of the
15 designated retirement systems. Beginning in State fiscal year
16 2018, payments to the designated retirement systems under this
17 Section shall be in addition to, and not in lieu of, any State
18 contributions required under the Illinois Pension Code.

19 "Designated retirement systems" means:

20 (1) the State Employees' Retirement System of
21 Illinois;

22 (2) the Teachers' Retirement System of the State of
23 Illinois;

- 1 (3) the State Universities Retirement System;
- 2 (4) the Judges Retirement System of Illinois; and
- 3 (5) the General Assembly Retirement System.

4 (b) Each year the General Assembly may make appropriations
5 from the State Pensions Fund for the administration of the
6 Uniform Disposition of Unclaimed Property Act and for other
7 operational expenses of the Office of the State Treasurer.

8 ~~Each month, the Commissioner of the Office of Banks and~~
9 ~~Real Estate shall certify to the State Treasurer the actual~~
10 ~~expenditures that the Office of Banks and Real Estate incurred~~
11 ~~conducting unclaimed property examinations under the Uniform~~
12 ~~Disposition of Unclaimed Property Act during the immediately~~
13 ~~preceding month. Within a reasonable time following the~~
14 ~~acceptance of such certification by the State Treasurer, the~~
15 ~~State Treasurer shall pay from its appropriation from the State~~
16 ~~Pensions Fund to the Bank and Trust Company Fund, the Savings~~
17 ~~Bank Regulatory Fund, and the Residential Finance Regulatory~~
18 ~~Fund an amount equal to the expenditures incurred by each Fund~~
19 ~~for that month.~~

20 ~~Each month, the Director of Financial Institutions shall~~
21 ~~certify to the State Treasurer the actual expenditures that the~~
22 ~~Department of Financial Institutions incurred conducting~~
23 ~~unclaimed property examinations under the Uniform Disposition~~
24 ~~of Unclaimed Property Act during the immediately preceding~~
25 ~~month. Within a reasonable time following the acceptance of~~
26 ~~such certification by the State Treasurer, the State Treasurer~~

1 ~~shall pay from its appropriation from the State Pensions Fund~~
2 ~~to the Financial Institution Fund and the Credit Union Fund an~~
3 ~~amount equal to the expenditures incurred by each Fund for that~~
4 ~~month.~~

5 (c) As soon as possible after the effective date of this
6 amendatory Act of the 93rd General Assembly, the General
7 Assembly shall appropriate from the State Pensions Fund (1) to
8 the State Universities Retirement System the amount certified
9 under Section 15-165 during the prior year, (2) to the Judges
10 Retirement System of Illinois the amount certified under
11 Section 18-140 during the prior year, and (3) to the General
12 Assembly Retirement System the amount certified under Section
13 2-134 during the prior year as part of the required State
14 contributions to each of those designated retirement systems;
15 except that amounts appropriated under this subsection (c) in
16 State fiscal year 2005 shall not reduce the amount in the State
17 Pensions Fund below \$5,000,000. If the amount in the State
18 Pensions Fund does not exceed the sum of the amounts certified
19 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
20 the amount paid to each designated retirement system under this
21 subsection shall be reduced in proportion to the amount
22 certified by each of those designated retirement systems.

23 (c-5) For fiscal years 2006 through 2017, the General
24 Assembly shall appropriate from the State Pensions Fund to the
25 State Universities Retirement System the amount estimated to be
26 available during the fiscal year in the State Pensions Fund;

1 provided, however, that the amounts appropriated under this
2 subsection (c-5) shall not reduce the amount in the State
3 Pensions Fund below \$5,000,000.

4 (c-6) For fiscal year 2018 and each fiscal year thereafter,
5 as soon as may be practical after any money is deposited into
6 the State Pensions Fund from the Unclaimed Property Trust Fund,
7 the State Treasurer shall apportion the deposited amount among
8 the designated retirement systems as defined in subsection (a)
9 to reduce their actuarial reserve deficiencies. The State
10 Comptroller and State Treasurer shall pay the apportioned
11 amounts to the designated retirement systems to fund the
12 unfunded liabilities of the designated retirement systems. The
13 amount apportioned to each designated retirement system shall
14 constitute a portion of the amount estimated to be available
15 for appropriation from the State Pensions Fund that is the same
16 as that retirement system's portion of the total actual reserve
17 deficiency of the systems, as determined annually by the
18 Governor's Office of Management and Budget at the request of
19 the State Treasurer. The amounts apportioned under this
20 subsection shall not reduce the amount in the State Pensions
21 Fund below \$5,000,000.

22 (d) The Governor's Office of Management and Budget shall
23 determine the individual and total reserve deficiencies of the
24 designated retirement systems. For this purpose, the
25 Governor's Office of Management and Budget shall utilize the
26 latest available audit and actuarial reports of each of the

1 retirement systems and the relevant reports and statistics of
2 the Public Employee Pension Fund Division of the Department of
3 Insurance.

4 (d-1) As soon as practicable after the effective date of
5 this amendatory Act of the 93rd General Assembly, the
6 Comptroller shall direct and the Treasurer shall transfer from
7 the State Pensions Fund to the General Revenue Fund, as funds
8 become available, a sum equal to the amounts that would have
9 been paid from the State Pensions Fund to the Teachers'
10 Retirement System of the State of Illinois, the State
11 Universities Retirement System, the Judges Retirement System
12 of Illinois, the General Assembly Retirement System, and the
13 State Employees' Retirement System of Illinois after the
14 effective date of this amendatory Act during the remainder of
15 fiscal year 2004 to the designated retirement systems from the
16 appropriations provided for in this Section if the transfers
17 provided in Section 6z-61 had not occurred. The transfers
18 described in this subsection (d-1) are to partially repay the
19 General Revenue Fund for the costs associated with the bonds
20 used to fund the moneys transferred to the designated
21 retirement systems under Section 6z-61.

22 (e) The changes to this Section made by this amendatory Act
23 of 1994 shall first apply to distributions from the Fund for
24 State fiscal year 1996.

25 (Source: P.A. 98-24, eff. 6-19-13; 98-463, eff. 8-16-13;
26 98-674, eff. 6-30-14; 98-1081, eff. 1-1-15; 99-8, eff. 7-9-15;

1 99-78, eff. 7-20-15; 99-523, eff. 6-30-16.)

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