



Rep. Elaine Nekritz

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LRB100 10077 RPS 24247 a

1 AMENDMENT TO HOUSE BILL 3220

2 AMENDMENT NO. _____. Amend House Bill 3220 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding
5 Sections 16-133.6 and 17-116.7 as follows:

6 (40 ILCS 5/16-133.6 new)

7 Sec. 16-133.6. Early retirement incentive for teachers.

8 (a) This Section provides an age enhancement as an early
9 retirement incentive for certain teachers. To be eligible for
10 the age enhancement, a person must:

11 (1) be a member of this System to whom Section 1-160
12 does not apply and who, on or after July 1, 2018, is (i) in
13 active payroll status as a full-time teacher employed by an
14 employer under this Article, or (ii) on layoff status from
15 such a position with a right of re-employment or recall to
16 service, or (iii) on disability or a leave of absence from

1 such a position, but only if the member has not been
2 receiving benefits under Section 16-149 or 16-149.1 for a
3 continuous period of 2 years or more as of the date of
4 application;

5 (2) have never previously received a retirement
6 annuity under this Article, except that receipt of a
7 disability retirement annuity does not disqualify a member
8 if the annuity has been terminated and the member has
9 returned to full-time employment under this Article before
10 the effective date of this Section;

11 (3) not have a QILDRO in effect against him or her
12 under this Article;

13 (4) file with the Board and the employer on or before
14 June 30, 2021 a written application electing to receive the
15 age enhancement under this Section and a notice of
16 resignation from employment, which resignation must take
17 effect no later than the effective date of that election
18 and no later than June 30, 2021;

19 (5) have accrued sufficient creditable service to be
20 eligible to receive a retirement annuity under this
21 Article;

22 (6) have attained age 55 (without the use of any age
23 enhancement to be received under this Section) at the time
24 of filing an application requesting an age enhancement
25 under this Section; and

26 (7) not receive any other early retirement incentive

1 under Section 16-133.2, 16-133.3, 16-133.4, or 16-133.5 of
2 this Article.

3 (b) For an eligible member who elects to receive the age
4 enhancement under this Section, the amount of age enhancement
5 shall be equal to the applicable minimum age for an
6 undiscounted retirement annuity (based on the amount of
7 creditable service the member has on the effective date of the
8 election) minus the member's actual age on the effective date
9 of the election.

10 The age enhancement established under this Section may be
11 used for all purposes under this Article (including calculation
12 of a proportionate annuity payable by this System under the
13 Retirement Systems Reciprocal Act), except for purposes of a
14 reversionary annuity under Section 16-136, the retirement
15 annuity under subdivision (a)(A) of Section 16-133, the
16 required distributions under Section 16-142.3, and the
17 determination of eligibility for and the computation of
18 benefits under Section 16-133.2 of this Article. Age
19 enhancement established under this Section shall not be used in
20 determining benefits payable by any other participating system
21 under the Retirement Systems Reciprocal Act.

22 (c) Notwithstanding Sections 16-133.1, 16-136.1, and
23 16-143.1, in exchange for the age enhancement under this
24 Section, a member who elects the age enhancement under this
25 Section agrees (1) to have his or her annual increases in
26 retirement annuity determined in the manner provided in

1 subsection (e) of Section 1-160 and (2) to have the annual
2 increases in any survivor's annuity payable under this Article
3 on behalf of the member (but not an annuity payable to an
4 eligible child) determined in the manner provided in subsection
5 (f) of Section 1-160.

6 (d) An employer may offer additional incentives to induce a
7 member to elect the age enhancement under this Section.
8 However, any such incentive shall not be included in the
9 determination of salary for the purposes of this Article.

10 (e) A person who returns to service under this Article
11 after receiving any age enhancement under this Section thereby
12 irrevocably forfeits that age enhancement and remains
13 ineligible for any other early retirement benefit under this
14 Article.

15 (f) The Board may adopt rules to implement this Section.

16 (40 ILCS 5/17-116.7 new)

17 Sec. 17-116.7. Early retirement incentive for teachers.

18 (a) This Section provides an age enhancement as an early
19 retirement incentive for certain teachers. To be eligible for
20 the age enhancement provided in this Section, a person must:

21 (1) be a member of this Fund to whom Section 1-160 does
22 not apply and who, on or after July 1, 2018, is (i) in
23 active payroll status as a full-time teacher employed by an
24 employer under this Article, or (ii) on layoff status from
25 such a position with a right of re-employment or recall to

1 service, or (iii) on disability or a leave of absence from
2 such a position, but only if the member on leave has not
3 been receiving a disability benefit under this Article for
4 a continuous period of 2 years or more as of the date of
5 application;

6 (2) have never previously received a retirement
7 pension under this Article, except that receipt of a
8 disability retirement pension does not disqualify a member
9 if the pension has been terminated and the member has
10 returned to full-time employment under this Article before
11 the effective date of this Section;

12 (3) not have a QILDRO in effect against him or her
13 under this Article;

14 (4) file with the Board and the Board of Education on
15 or before June 30, 2021 a written application electing to
16 receive the age enhancement under this Section and a notice
17 of resignation from employment, which resignation must
18 take effect no later than the effective date of that
19 election and no later than June 30, 2021;

20 (5) have accrued sufficient creditable service to be
21 eligible to receive a retirement pension under this
22 Article;

23 (6) have attained age 55 (without the use of any age
24 enhancement to be received under this Section) at the time
25 of filing an application electing an age enhancement under
26 this Section; and

1 (7) not receive any other early retirement incentive
2 under Section 17-116.1, 17-116.3, 17-116.4, 17-116.5, or
3 17-116.6 of this Article.

4 (b) For an eligible member who elects to receive the age
5 enhancement under this Section, the amount of age enhancement
6 shall be equal to the applicable minimum age for an
7 undiscounted service retirement pension (based on the amount of
8 creditable service the member has on the effective date of the
9 election) minus the member's actual age on the effective date
10 of the election.

11 The age enhancement established under this Section may be
12 used for all purposes under this Article (including calculation
13 of a proportionate pension payable by this Fund under the
14 Retirement Systems Reciprocal Act), except for purposes of the
15 reversionary pension under Section 17-120, and distributions
16 required by federal law on account of age. Age enhancement
17 established under this Section shall not be used in determining
18 benefits payable by any other participating system under the
19 Retirement Systems Reciprocal Act.

20 (c) Notwithstanding Sections 17-119 and 17-122, in
21 exchange for the age enhancement under this Section, a member
22 who elects the age enhancement under this Section agrees (1) to
23 have his or her annual increases in retirement pension
24 determined in the manner provided in subsection (e) of Section
25 1-160 and (2) to have the annual increases in any survivor's
26 pension (but not a children's pension) payable under this

1 Article on behalf of the member determined in the manner
2 provided in subsection (f) of Section 1-160.

3 (d) An employer may offer additional incentives to induce a
4 member to elect the age enhancement under this Section.
5 However, any such incentive shall not be included in the
6 determination of salary for the purposes of this Article.

7 (e) A person who returns to service under this Article
8 after receiving any age enhancement under this Section thereby
9 irrevocably forfeits that age enhancement and remains
10 ineligible for any other early retirement benefit under this
11 Article.

12 (f) The Board may adopt rules to implement this Section.

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