



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3149

Introduced 2/6/2020, by Sen. Jason A. Barickman

SYNOPSIS AS INTRODUCED:

40 ILCS 5/2-101	from Ch. 108 1/2, par. 2-101
40 ILCS 5/2-105	from Ch. 108 1/2, par. 2-105
40 ILCS 5/2-107	from Ch. 108 1/2, par. 2-107
40 ILCS 5/24-105.2	

Amends the General Assembly and Deferred Compensation Articles of the Illinois Pension Code. Restricts participation in the General Assembly Retirement System to persons who became participants before the effective date of the amendatory Act and provides that, beginning on that date, the System shall not accept any new participants. Makes related changes. Provides that the Department of Central Management Services shall automatically enroll in the State Employees Deferred Compensation Plan any employee who becomes a member of the General Assembly or serves as Governor, Lieutenant Governor, Secretary of State, Treasurer, Comptroller, or Attorney General. Effective immediately.

LRB101 19128 RPS 68591 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 Sections 2-101, 2-105, 2-107, and 24-105.2 as follows:

6 (40 ILCS 5/2-101) (from Ch. 108 1/2, par. 2-101)

7 Sec. 2-101. Creation of system. A retirement system is
8 created to provide retirement annuities, survivor's annuities
9 and other benefits for certain members of the General Assembly,
10 certain elected state officials, and their beneficiaries.

11 The system shall be known as the "General Assembly
12 Retirement System". All its funds and property shall be a trust
13 separate from all other entities, maintained for the purpose of
14 securing payment of annuities and benefits under this Article.

15 Participation in the retirement system created under this
16 Article is restricted to persons who became participants before
17 the effective date of this amendatory Act of the 101st General
18 Assembly. Beginning on that date, the System shall not accept
19 any new participants.

20 (Source: P.A. 83-1440.)

21 (40 ILCS 5/2-105) (from Ch. 108 1/2, par. 2-105)

22 Sec. 2-105. Member. "Member": Members of the General

1 Assembly of this State, including persons who enter military
2 service while a member of the General Assembly, and any person
3 serving as Governor, Lieutenant Governor, Secretary of State,
4 Treasurer, Comptroller, or Attorney General for the period of
5 service in such office.

6 Any person who has served for 10 or more years as Clerk or
7 Assistant Clerk of the House of Representatives, Secretary or
8 Assistant Secretary of the Senate, or any combination thereof,
9 may elect to become a member of this system while thenceforth
10 engaged in such service by filing a written election with the
11 board. Any person so electing shall be deemed an active member
12 of the General Assembly for the purpose of validating and
13 transferring any service credits earned under any of the funds
14 and systems established under Articles 3 through 18 of this
15 Code.

16 However, notwithstanding any other provision of this
17 Article, a person shall not be deemed a member for the purposes
18 of this Article unless he or she became a participant of the
19 System before the effective date of this amendatory Act of the
20 101st General Assembly.

21 (Source: P.A. 85-1008.)

22 (40 ILCS 5/2-107) (from Ch. 108 1/2, par. 2-107)

23 Sec. 2-107. Participant. "Participant": Any member who
24 elects to participate; and any former member who elects to
25 continue participation under Section 2-117.1, for the duration

1 of such continued participation. However, notwithstanding any
2 other provision of this Article, a person shall not be deemed a
3 participant for the purposes of this Article unless he or she
4 became a participant of the System before the effective date of
5 this amendatory Act of the 101st General Assembly.

6 (Source: P.A. 86-1488.)

7 (40 ILCS 5/24-105.2)

8 Sec. 24-105.2. Automatic enrollment for certain members.
9 The Department of Central Management Services shall
10 automatically enroll in the State Employees Deferred
11 Compensation Plan any employee: (1) who, on or after July 1,
12 2020 (6 months after the effective date of Public Act 101-277)
13 ~~this amendatory Act of the 101st General Assembly,~~ first
14 becomes a member or participant of a retirement system created
15 under Article 2, 14, or 18; or (2) who, on or after the
16 effective date of this amendatory Act of the 101st General
17 Assembly, becomes a member of the General Assembly or serves as
18 Governor, Lieutenant Governor, Secretary of State, Treasurer,
19 Comptroller, or Attorney General. An employee automatically
20 enrolled under this Section shall have 3% of his or her pre-tax
21 gross compensation for each compensation period deferred into
22 his or her deferred compensation account.

23 An employee shall have 30 days from the start date of
24 employment to elect to not participate in the deferred
25 compensation plan or to elect to increase or reduce the amount

1 of pre-tax gross compensation deferred. An employee shall be
2 automatically enrolled in the Plan beginning the first day of
3 the pay period following the employee's thirtieth day of
4 employment. An employee who has been automatically enrolled in
5 the Plan may elect, within 90 days of enrollment, to withdraw
6 from the Plan and receive a refund of amounts deferred. An
7 employee making such an election shall forfeit all employer
8 matching contributions, if any, made prior to the election. Any
9 refunded amount shall be included in the employee's gross
10 income for the taxable year in which the refund is issued.
11 (Source: P.A. 101-277, eff. 1-1-20.)

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