



Rep. Kevin A. McCarthy

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09700HB3375ham002

LRB097 10953 JDS 53494 a

1 AMENDMENT TO HOUSE BILL 3375

2 AMENDMENT NO. _____. Amend House Bill 3375 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 16-118 as follows:

6 (40 ILCS 5/16-118) (from Ch. 108 1/2, par. 16-118)

7 Sec. 16-118. Retirement. "Retirement": Entry upon a
8 retirement annuity or receipt of a single-sum retirement
9 benefit granted under this Article after termination of active
10 service as a teacher.

11 (a) An annuitant receiving a retirement annuity other than
12 a disability retirement annuity may accept employment as a
13 teacher from a school board or other employer specified in
14 Section 16-106 without impairing retirement status, if that
15 employment: (1) is not within the school year during which
16 service was terminated; and (2) does not exceed 100 paid days

1 or 500 paid hours in any school year (during the period
2 beginning July 1, 2001 through June 30, 2011, 120 paid days or
3 600 paid hours in each school year). Where such permitted
4 employment is partly on a daily and partly on an hourly basis,
5 a day shall be considered as 5 hours.

6 (b) Subsection (a) does not apply to an annuitant who
7 returns to teaching under the program established in Section
8 16-150.1, for the duration of his or her participation in that
9 program.

10 (c) Subsection (a) shall not be construed to authorize
11 multiple annuitants, without impairing their retirement
12 status, to accept employment with a school district or other
13 employer in order to fill, as a group, a teaching position that
14 would ordinarily be occupied by an active participant. Instead,
15 if a school board or other employer determines that there is a
16 subject or administrative position shortage that would require
17 that action, then it must apply for an exemption under Section
18 16-150.1.

19 (Source: P.A. 93-320, eff. 7-23-03; 94-914, eff. 6-23-06.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."