



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4509

Introduced 2/4/2020, by Rep. Sue Scherer

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/16-118

from Ch. 108 1/2, par. 16-118

Amends the Downstate Teacher Article of the Illinois Pension Code. In provisions that limit the number of days and hours an annuitant may accept employment for without impairing retirement status, provides that the limitation does not apply to an annuitant who returns to teaching as a substitute teacher in a school district that has been granted a waiver by the System. Provides that a school district may apply for a waiver by providing to the System sufficient evidence that there is a substitute teacher shortage in the school district and an estimate of the number of paid hours in the school year that the annuitant will work. Effective immediately.

LRB101 19087 RPS 68547 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 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:

16 (1) is not within the school year during which service  
17 was terminated; and

18 (2) does not exceed the following:

19 (i) before July 1, 2001, 100 paid days or 500 paid  
20 hours in any school year;

21 (ii) during the period beginning July 1, 2001  
22 through June 30, 2011, 120 paid days or 600 paid hours  
23 in each school year;

1 (iii) during the period beginning July 1, 2011  
2 through June 30, 2018, 100 paid days or 500 paid hours  
3 in each school year;

4 (iv) beginning July 1, 2018 through June 30, 2020,  
5 120 paid days or 600 paid hours in each school year,  
6 but not more than 100 paid days in the same classroom;  
7 and

8 (v) beginning July 1, 2020, 100 paid days or 500  
9 paid hours in each school year.

10 Where such permitted employment is partly on a daily and  
11 partly on an hourly basis, a day shall be considered as 5  
12 hours.

13 (b) Subsection (a) does not apply to an annuitant who  
14 returns to teaching under the program established in Section  
15 16-150.1, for the duration of his or her participation in that  
16 program.

17 (c) Subsection (a) does not apply to an annuitant who  
18 returns to teaching as a substitute teacher in a school  
19 district that has been granted a waiver from the requirements  
20 of subsection (a) by the System. A school district may apply  
21 for a waiver under this subsection by providing to the System:  
22 (i) sufficient evidence that there is a substitute teacher  
23 shortage in the school district; and (ii) an estimate of the  
24 number of paid hours in the school year that the annuitant will  
25 work.

26 (Source: P.A. 100-596, eff. 7-1-18.)

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