

**SB2989**



**102ND GENERAL ASSEMBLY**

**State of Illinois**

**2021 and 2022**

**SB2989**

Introduced 1/5/2022, by Sen. Ram Villivalam

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/17-133

from Ch. 108 1/2, par. 17-133

30 ILCS 805/8.45 new

Amends the Chicago Teacher Article of the Illinois Pension Code. Allows a member to establish credit for up to 2 years of service as a teacher or administrator employed by a private school registered with or recognized by the Illinois State Board of Education, provided that the teacher (i) was certified under the law governing the certification of teachers at the time the service was rendered, (ii) applies in writing no later than 2 years after the effective date of the amendatory Act, (iii) supplies satisfactory evidence of the employment, (iv) completes at least 10 years of contributing service as a teacher, (v) pays the required contribution required, and (vi) does not receive credit for that service under any other provision of the Code. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB102 20466 RPS 29328 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

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  
5 changing Section 17-133 as follows:

6 (40 ILCS 5/17-133) (from Ch. 108 1/2, par. 17-133)

7 Sec. 17-133. Contributions for periods of outside and  
8 other service.

9 Regularly certified and appointed teachers who desire to  
10 have the following described services credited for pension  
11 purposes shall submit to the Board evidence thereof and pay  
12 into the Fund the amounts prescribed herein:

13 1. For teaching service by a certified teacher in the  
14 public schools of the several states or in schools  
15 operated by or under the auspices of the United States, a  
16 teacher shall pay the contributions at the rates in force  
17 (a) on the date of appointment as a regularly certified  
18 teacher after salary adjustments are completed, or (b) at  
19 the time of reappointment after salary adjustments are  
20 completed, whichever is later, but not less than \$450 per  
21 year of service. Upon the Board's approval of such service  
22 and the payment of the required contributions, service  
23 credit of not more than 10 years shall be granted.

1           2. For service as a playground instructor in public  
2 school playgrounds, teachers shall pay the contributions  
3 prescribed in this Article (a) at the time of appointment,  
4 as a regularly certified teacher after salary adjustments  
5 are completed, or (b) on return to service as a full time  
6 regularly certified teacher, as the case may be, provided  
7 such rates or amounts shall not be less than \$450 per year.

8           3. For service prior to September 1, 1955, in the  
9 public schools of the City as a substitute, evening school  
10 or temporary teacher, or for service as an Americanization  
11 teacher prior to December 31, 1955, teachers shall pay the  
12 contributions prescribed in this Article (a) at the time  
13 of appointment, as a regularly certified teacher after  
14 salary adjustments are completed, (b) on return to service  
15 as a full time regularly certified teacher, as the case  
16 may be, provided such rates or amounts shall not be less  
17 than \$450 per year; and provided further that for teachers  
18 employed on or after September 1, 1953, rates shall not  
19 include contributions for widows' pensions if the service  
20 described in this sub-paragraph 3 was rendered before that  
21 date. Any teacher entitled to repay a refund of  
22 contributions under Section 17-126 may validate service  
23 described in this paragraph by payment of the amounts  
24 prescribed herein, together with the repayment of the  
25 refund, provided that if such creditable service was the  
26 last service rendered in the public schools of the City

1 and is not automatically reinstated by repayment of the  
2 refund, the rates or amounts shall not be less than \$450  
3 per year.

4 4. For service after June 30, 1982 as a member of the  
5 Board of Education, if required to resign from an  
6 administrative or teaching position in order to qualify as  
7 a member of the Board of Education.

8 5. For service during the 1986-87 school year as a  
9 teacher on a special leave of absence with full loss of  
10 salary, teaching for an agency under contract to the Board  
11 of Education, if the teacher returned to employment in  
12 September, 1987. For service under this item 5, the  
13 teacher must pay the contributions at the rates in force  
14 at the completion of the leave period.

15 6. For up to 2 years of service as a teacher or  
16 administrator employed by a private school registered with  
17 or recognized by the Illinois State Board of Education,  
18 provided that the teacher (i) was certified under the law  
19 governing the certification of teachers at the time the  
20 service was rendered, (ii) applies in writing no later  
21 than 2 years after the effective date of this amendatory  
22 Act of the 102nd General Assembly ~~on or after the~~  
23 ~~effective date of this amendatory Act of the 94th General~~  
24 ~~Assembly and on or before June 1, 2009,~~ (iii) supplies  
25 satisfactory evidence of the employment, (iv) completes at  
26 least 10 years of contributing service as a teacher as

1 defined in Section 17-106, (v) pays the contribution  
2 required in this Section, and (vi) does not receive credit  
3 for that service under any other provision of this Code.  
4 The member may apply for credit under this subsection and  
5 pay the required contribution before completing the 10  
6 years of contributing service required under item (iv),  
7 but the credit may not be used until the item (iv)  
8 contributing service requirement has been met.

9 For each year of service credit to be established  
10 under this subparagraph 6, a member is required to  
11 contribute to the System (i) 16.5% of the annual salary  
12 rate during the first year of full-time employment as a  
13 teacher under this Article following the private school  
14 service, plus (ii) interest thereon from the date of first  
15 full-time employment as a teacher under this Article  
16 following the private school service to the date of  
17 payment, compounded annually, at the rate of 8.0% per  
18 year.

19 For service described in sub-paragraphs 1, 2 and 3 of this  
20 Section, interest shall be charged beginning one year after  
21 the effective date of appointment or reappointment.

22 Effective September 1, 1974, the interest rate to be  
23 charged by the Fund on contributions provided in  
24 sub-paragraphs 1, 2, 3 and 4 shall be 5% per annum compounded  
25 annually.

26 (Source: P.A. 94-1111, eff. 2-27-07.)

1           Section 90. The State Mandates Act is amended by adding  
2 Section 8.45 as follows:

3           (30 ILCS 805/8.45 new)

4           Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and  
5 8 of this Act, no reimbursement by the State is required for  
6 the implementation of any mandate created by this amendatory  
7 Act of the 102nd General Assembly.

8           Section 99. Effective date. This Act takes effect upon  
9 becoming law.