



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2914

Introduced 1/26/2024, by Sen. Karina Villa

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-137.1
30 ILCS 805/8.48 new

from Ch. 108 1/2, par. 7-137.1

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. In a provision concerning participation in the Fund by a person who holds an elective office, provides that a person who holds an elective office and has not elected to participate in the Fund with respect to that office shall not be disqualified from receiving service credit for service in that elected office as long as the member participated in a non-elected position with the employer for which the member is now an elected official; the employer has continued to make member contributions for that period of service; and there is no gap in service credit between the 2 positions. Amends the State Mandates Act to require implementation without reimbursement.

LRB103 36206 RPS 66299 b

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 7-137.1 as follows:

6 (40 ILCS 5/7-137.1) (from Ch. 108 1/2, par. 7-137.1)
7 Sec. 7-137.1. Elected officials.

8 (a) A person holding an elective office who has elected to
9 participate in the Fund while in that office may revoke that
10 election and cease participating in the Fund by notifying the
11 Board in writing before January 1, 1992.

12 Upon such revocation, the person shall forfeit all
13 creditable service earned while holding that office, and the
14 Board shall refund to the person, without interest, all
15 employee contributions paid for the forfeited creditable
16 service. The Board shall also refund or credit to the
17 employing municipality, without interest, the employer
18 contributions relating to the forfeited service, except those
19 for death and disability.

20 (b) Notwithstanding the provisions of Sections 7-141 and
21 7-144, beginning January 1, 1992, a person who holds an
22 elective office and has not elected to participate in the Fund
23 with respect to that office (or has revoked his election to

1 participate with respect to that office under subsection (a)
2 of this Section) shall not be disqualified from receiving a
3 retirement annuity by reason of holding such office, provided
4 that the annuity is not based on any credits received for
5 participating while holding that office.

6 (c) Notwithstanding any other provision, a person who
7 holds an elective office and has not elected to participate in
8 the Fund with respect to that office shall not be disqualified
9 from receiving service credit for service in that elected
10 office as long as:

11 (1) the member participated in a non-elected position
12 with the employer for which the member is now an elected
13 official;

14 (2) the employer has continued to make member
15 contributions for that period of service; and

16 (3) there is no gap in service credit between the 2
17 positions.

18 (Source: P.A. 87-740.)

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.48 as follows:

21 (30 ILCS 805/8.48 new)

22 Sec. 8.48. Exempt mandate. Notwithstanding Sections 6 and
23 8 of this Act, no reimbursement by the State is required for
24 the implementation of any mandate created by this amendatory

1 Act of the 103rd General Assembly.