



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB2493**

Introduced 1/18/2006, by Sen. Larry K. Bomke

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/15-113.7a new  
40 ILCS 5/15-198

Amends the State Universities Article of the Illinois Pension Code. Includes within the definition of "service" periods not exceeding 2 years during which a person served in the Peace Corps, provided that the person (1) applies for the service on or after the effective date and before June 1, 2007 and (2) pays to the System the actuarial value of the increase in benefits resulting from the service. Includes language exempting the changes from provisions concerning new benefit increases. Effective immediately.

LRB094 18792 AMC 54198 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 adding  
5 Sections 15-113.7a and 15-198 as follows:

6 (40 ILCS 5/15-113.7a new)

7 Sec. 15-113.7a. Service for periods of service with the  
8 Peace Corps. "Service for periods of service with the Peace  
9 Corps" means those periods not exceeding 2 years during which a  
10 person served in the Peace Corps, provided that the person (1)  
11 applies for the service on or after the effective date and  
12 before June 1, 2007 and (2) pays to the System the actuarial  
13 value of the increase in the benefits resulting from the  
14 service.

15 (40 ILCS 5/15-198)

16 Sec. 15-198. Application and expiration of new benefit  
17 increases.

18 (a) As used in this Section, "new benefit increase" means  
19 an increase in the amount of any benefit provided under this  
20 Article, or an expansion of the conditions of eligibility for  
21 any benefit under this Article, that results from an amendment  
22 to this Code that takes effect after June 1, 2005 (the  
23 effective date of Public Act 94-4) ~~this amendatory Act of the~~  
24 ~~94th General Assembly.~~ "New benefit increase", however, does  
25 not include any benefit increase resulting from the changes  
26 made to this Article by this amendatory Act of the 94th General  
27 Assembly.

28 (b) Notwithstanding any other provision of this Code or any  
29 subsequent amendment to this Code, every new benefit increase  
30 is subject to this Section and shall be deemed to be granted  
31 only in conformance with and contingent upon compliance with

1 the provisions of this Section.

2 (c) The Public Act enacting a new benefit increase must  
3 identify and provide for payment to the System of additional  
4 funding at least sufficient to fund the resulting annual  
5 increase in cost to the System as it accrues.

6 Every new benefit increase is contingent upon the General  
7 Assembly providing the additional funding required under this  
8 subsection. The Commission on Government Forecasting and  
9 Accountability shall analyze whether adequate additional  
10 funding has been provided for the new benefit increase and  
11 shall report its analysis to the Public Pension Division of the  
12 Department of Financial and Professional Regulation. A new  
13 benefit increase created by a Public Act that does not include  
14 the additional funding required under this subsection is null  
15 and void. If the Public Pension Division determines that the  
16 additional funding provided for a new benefit increase under  
17 this subsection is or has become inadequate, it may so certify  
18 to the Governor and the State Comptroller and, in the absence  
19 of corrective action by the General Assembly, the new benefit  
20 increase shall expire at the end of the fiscal year in which  
21 the certification is made.

22 (d) Every new benefit increase shall expire 5 years after  
23 its effective date or on such earlier date as may be specified  
24 in the language enacting the new benefit increase or provided  
25 under subsection (c). This does not prevent the General  
26 Assembly from extending or re-creating a new benefit increase  
27 by law.

28 (e) Except as otherwise provided in the language creating  
29 the new benefit increase, a new benefit increase that expires  
30 under this Section continues to apply to persons who applied  
31 and qualified for the affected benefit while the new benefit  
32 increase was in effect and to the affected beneficiaries and  
33 alternate payees of such persons, but does not apply to any  
34 other person, including without limitation a person who  
35 continues in service after the expiration date and did not  
36 apply and qualify for the affected benefit while the new

1 benefit increase was in effect.

2 (Source: P.A. 94-4, eff. 6-1-05.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.