



Sen. Deanna Demuzio

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09600HB0306sam001

LRB096 02867 AMC 25848 a

1 AMENDMENT TO HOUSE BILL 306

2 AMENDMENT NO. _____. Amend House Bill 306 by replacing
3 everything after the enacting clause with the following:

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 employing

1 municipality, without interest, the employer contributions
2 relating to the forfeited service, except those for death and
3 disability.

4 (b) Notwithstanding the provisions of Section 7-141 and
5 Section 7-144, beginning on the effective date of this
6 amendatory Act of the 96th General Assembly, a person who holds
7 an elective office and has not elected to participate in the
8 Fund with respect to that term of office shall not be
9 disqualified from receiving a retirement annuity during that
10 term of office by reason of holding that office, provided that
11 (i) the person waives his or her salary and stipend for that
12 elective office and (ii) the annuity is not based on any
13 credits received for participating during that term of office.

14 ~~Notwithstanding the provisions of Sections 7-141 and 7-144,~~
15 ~~beginning January 1, 1992, a person who holds an elective~~
16 ~~office and has not elected to participate in the Fund with~~
17 ~~respect to that office (or has revoked his election to~~
18 ~~participate with respect to that office under subsection (a) of~~
19 ~~this Section) shall not be disqualified from receiving a~~
20 ~~retirement annuity by reason of holding such office, provided~~
21 ~~that the annuity is not based on any credits received for~~
22 ~~participating while holding that office.~~

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

24 Section 90. The State Mandates Act is amended by adding
25 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

2 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 96th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".